



March 23, 2001

ENGROSSED HOUSE BILL No. 1170

DIGEST OF HB 1170 (Updated March 22, 2001 12:22 PM - DI 92)

Citations Affected: IC 3-7; IC 5-10.3; IC 5-14; IC 6-1.1; IC 6-6; IC 9-13; IC 9-14; IC 9-15; IC 9-16; IC 9-18; IC 9-23; IC 9-24; IC 9-29; IC 34-13; IC 36-1; IC 36-2; noncode.

Synopsis: Various motor vehicle changes. Revises the schedule for registration of motor vehicles on a staggered basis throughout the year. Provides that a driver's license or permit and a state identification card must bear a photograph or a computerized image of the bearer. Provides that an individual may apply for renewal of several types of licenses by mail or electronic service under certain circumstances. Establishes the state motor vehicle technology fund. Provides that \$1 from service charges from various bureau of motor vehicle transactions be allocated to the fund. Allows for cross-county vehicle registration in any year. Abolishes the bureau of motor vehicle commission and transfers its duties to the bureau of motor vehicles or the commissioner of the bureau of motor vehicles. Makes various other changes to the administration of the bureau of motor vehicles. Extends indefinitely the use of education license plate fees for the administration of the school intervention and career counseling development program. (Current law provides that the fee allocation expires December 31, 2000.)

Effective: July 1, 2001; January 1, 2002; January 1, 2003.

Liggett, Thompson, Saunders

(SENATE SPONSORS — MERRITT, CRAYCRAFT)

January 9, 2001, read first time and referred to Committee on Roads and Transportation.
February 8, 2001, amended, reported — Do Pass.
February 12, 2001, referred to Committee on Ways and Means pursuant to House Rule 127.
February 21, 2001, reported — Do Pass.
February 26, 2001, read second time, ordered engrossed.
February 27, 2001, engrossed. Read third time, passed. Yeas 56, nays 38.

SENATE ACTION

March 5, 2001, read first time and referred to Committee on Transportation and Interstate Cooperation.
March 22, 2001, amended, reported favorably — Do Pass; reassigned to Committee on Finance.

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March 23, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

ENGROSSED HOUSE BILL No. 1170

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-7-14-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JANUARY 1, 2002]: Sec. 3. The bureau of motor
3 vehicles ~~commission~~ is the state's motor vehicle authority for purposes
4 of NVRA.

5 SECTION 2. IC 3-7-32-5 IS AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) This section does not
7 apply to a registration by mail form.

8 (b) Each voter applying to register at the county voter registration
9 office shall, upon completing the voter registration form, receive a
10 notice of disposition stating whether the voter's name has been added
11 to the registration rolls if the application is approved.

12 (c) Each voter applying to register before ~~a~~ **the** bureau of motor
13 vehicles ~~commission~~ or a voter registration agency shall, upon
14 completing the voter registration application form, receive a
15 registration acknowledgement stating that the registration form will be
16 forwarded to the appropriate county voter registration office so that the
17 voter's name may be added to the registration rolls if the application is

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approved.

SECTION 3. IC 3-7-34-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. If a registration form contains all of the information required to be supplied by the voter, but does not include the information required to be supplied by the bureau of motor vehicles ~~commission~~ or a voter registration agency, the circuit court clerk or board of registration shall promptly make one (1) effort to contact the officer, ~~commission~~, **bureau**, or agency to obtain the information.

SECTION 4. IC 3-7-34-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 7. (a) The circuit court clerk or board of registration shall certify to the county election board a list of the registration forms that have been processed under section 6 of this chapter but do not contain information required to be supplied by the bureau of motor vehicles ~~commission~~ or a voter registration agency.

(b) The county election board shall notify the ~~commission~~ **bureau of motor vehicles** or agency by United States first class mail that the ~~commission bureau of motor vehicles~~ or agency is required to supply the omitted information not later than thirty (30) days after the date of the letter.

SECTION 5. IC 5-10.3-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. The following employees may not be members of the fund:

(1) Officials of a political subdivision elected by vote of the people, unless the governing body specifically provides for the participation of locally elected officials.

(2) Employees occupying positions normally requiring performance of service of less than six hundred (600) hours during a year who:

(A) were hired before July 1, 1982; or

(B) are employed by a participating school corporation.

(3) Independent contractors or officers or employees paid wholly on a fee basis.

(4) Employees who occupy positions that are covered by other pension or retirement funds or plans, maintained in whole or in part by appropriations by the state or a political subdivision, except:

(A) the federal Social Security program; and

(B) the prosecuting attorneys retirement fund created by IC 33-14-9.

(5) ~~Managers or employees of a license branch of the bureau of motor vehicles commission; except those persons who may be~~

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1 ~~included as members under IC 9-16-4.~~

2 ~~(6)~~ (5) Employees, except employees of a participating school
3 corporation, hired after June 30, 1982, occupying positions
4 normally requiring performance of service of less than one
5 thousand (1,000) hours during a year.

6 ~~(7)~~ (6) Persons who:

7 (A) are employed by the state;

8 (B) have been classified as federal employees by the Secretary
9 of Agriculture of the United States; and

10 (C) are covered by the federal Social Security program as
11 federal employees under 42 U.S.C. 410.

12 ~~(8)~~ (7) Members and employees of the state lottery commission.

13 SECTION 6. IC 5-14-3-2, AS AMENDED BY P.L.256-1999,
14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JANUARY 1, 2002]: Sec. 2. As used in this chapter:

16 "Copy" includes transcribing by handwriting, photocopying,
17 xerography, duplicating machine, duplicating electronically stored data
18 onto a disk, tape, drum, or any other medium of electronic data storage,
19 and reproducing by any other means.

20 "Direct cost" means one hundred five percent (105%) of the sum of
21 the cost of:

22 (1) the initial development of a program, if any;

23 (2) the labor required to retrieve electronically stored data; and

24 (3) any medium used for electronic output;

25 for providing a duplicate of electronically stored data onto a disk, tape,
26 drum, or other medium of electronic data retrieval under section 8(g)
27 of this chapter, or for reprogramming a computer system under section
28 6(c) of this chapter.

29 "Electronic map" means copyrighted data provided by a public
30 agency from an electronic geographic information system.

31 "Enhanced access" means the inspection of a public record by a
32 person other than a governmental entity and that:

33 (1) is by means of an electronic device other than an electronic
34 device provided by a public agency in the office of the public
35 agency; or

36 (2) requires the compilation or creation of a list or report that does
37 not result in the permanent electronic storage of the information.

38 "Facsimile machine" means a machine that electronically transmits
39 exact images through connection with a telephone network.

40 "Inspect" includes the right to do the following:

41 (1) Manually transcribe and make notes, abstracts, or memoranda.

42 (2) In the case of tape recordings or other aural public records, to

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listen and manually transcribe or duplicate, or make notes, abstracts, or other memoranda from them.

(3) In the case of public records available:

(A) by enhanced access under section 3.5 of this chapter; or

(B) to a governmental entity under section 3(c)(2) of this chapter;

to examine and copy the public records by use of an electronic device.

(4) In the case of electronically stored data, to manually transcribe and make notes, abstracts, or memoranda or to duplicate the data onto a disk, tape, drum, or any other medium of electronic storage.

"Investigatory record" means information compiled in the course of the investigation of a crime.

"Patient" has the meaning set out in IC 16-18-2-272(d).

"Person" means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity.

"Provider" has the meaning set out in IC 16-18-2-295(a) and includes employees of the state department of health or local boards of health who create patient records at the request of another provider or who are social workers and create records concerning the family background of children who may need assistance.

"Public agency" means the following:

(1) Any board, commission, department, division, bureau, committee, agency, office, instrumentality, or authority, by whatever name designated, exercising any part of the executive, administrative, judicial, or legislative power of the state.

(2) Any:

(A) county, township, school corporation, city, or town, or any board, commission, department, division, bureau, committee, office, instrumentality, or authority of any county, township, school corporation, city, or town;

(B) political subdivision (as defined by IC 36-1-2-13); or

(C) other entity, or any office thereof, by whatever name designated, exercising in a limited geographical area the executive, administrative, judicial, or legislative power of the state or a delegated local governmental power.

(3) Any entity or office that is subject to:

(A) budget review by either the state board of tax commissioners or the governing body of a county, city, town, township, or school corporation; or

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- 1 (B) an audit by the state board of accounts.
- 2 (4) Any building corporation of a political subdivision that issues
- 3 bonds for the purpose of constructing public facilities.
- 4 (5) Any advisory commission, committee, or body created by
- 5 statute, ordinance, or executive order to advise the governing
- 6 body of a public agency, except medical staffs or the committees
- 7 of any such staff.
- 8 (6) Any law enforcement agency, which means an agency or a
- 9 department of any level of government that engages in the
- 10 investigation, apprehension, arrest, or prosecution of alleged
- 11 criminal offenders, such as the state police department, the police
- 12 or sheriff's department of a political subdivision, prosecuting
- 13 attorneys, members of the excise police division of the alcoholic
- 14 beverage commission, conservation officers of the department of
- 15 natural resources, and the security division of the state lottery
- 16 commission.
- 17 ~~(7) Any license branch staffed by employees of the bureau of~~
- 18 ~~motor vehicles commission under IC 9-16.~~
- 19 ~~(8)~~ (7) The state lottery commission, including any department,
- 20 division, or office of the commission.
- 21 ~~(9)~~ (8) The Indiana gaming commission established under
- 22 IC 4-33, including any department, division, or office of the
- 23 commission.
- 24 ~~(10)~~ (9) The Indiana horse racing commission established by
- 25 IC 4-31, including any department, division, or office of the
- 26 commission.
- 27 "Public record" means any writing, paper, report, study, map,
- 28 photograph, book, card, tape recording, or other material that is
- 29 created, received, retained, maintained, used, or filed by or with a
- 30 public agency and which is generated on paper, paper substitutes,
- 31 photographic media, chemically based media, magnetic or machine
- 32 readable media, electronically stored data, or any other material,
- 33 regardless of form or characteristics.
- 34 "Standard-sized documents" includes all documents that can be
- 35 mechanically reproduced (without mechanical reduction) on paper
- 36 sized eight and one-half (8 1/2) inches by eleven (11) inches or eight
- 37 and one-half (8 1/2) inches by fourteen (14) inches.
- 38 "Trade secret" has the meaning set forth in IC 24-2-3-2.
- 39 "Work product of an attorney" means information compiled by an
- 40 attorney in reasonable anticipation of litigation and includes the
- 41 attorney's:
- 42 (1) notes and statements taken during interviews of prospective

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witnesses; and

(2) legal research or records, correspondence, reports, or memoranda to the extent that each contains the attorney's opinions, theories, or conclusions.

This definition does not restrict the application of any exception under section 4 of this chapter.

SECTION 7. IC 6-1.1-10-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. Except as otherwise provided by law, the property owned by this state ~~or a state agency or the bureau of motor vehicles commission~~ is exempt from property taxation.

SECTION 8. IC 6-1.1-11-4, AS AMENDED BY P.L.14-2000, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the United States, the state, an agency of this state, or a political subdivision (as defined in IC 36-1-2-13). However, this subsection applies only when the property is used, and in the case of real property occupied, by the owner.

(b) The exemption application referred to in section 3 of this chapter is not required if the exempt property is a cemetery:

(1) described by IC 6-1.1-2-7; or

(2) maintained by a township executive under IC 23-14-68.

~~(c) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the bureau of motor vehicles commission established under IC 9-15-1.~~

~~(d)~~ (c) The exemption application referred to in section 3 of this chapter is not required if:

(1) the exempt property is:

(A) tangible property used for religious purposes described in IC 6-1.1-10-21; or

(B) tangible property owned by a church or religious society used for educational purposes described in IC 6-1.1-10-16; and

(2) the exemption application referred to in section 3 of this chapter was filed properly at least once after the property was designated for a religious use as described in IC 6-1.1-10-21 or an educational use as described in IC 6-1.1-10-16.

However, if title to any of the real property subject to the exemption changes or any of the tangible property subject to the exemption is used for a nonexempt purpose after the date of the last properly filed exemption application, this subsection does not apply.

SECTION 9. IC 6-6-5-7 IS AMENDED TO READ AS FOLLOWS



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[EFFECTIVE JANUARY 1, 2002]: Sec. 7. (a) In respect to a vehicle that has been acquired, or brought into the state, or for any other reason becomes subject to registration after the regular annual registration date in the year on or before which the owner of the vehicle is required, under the motor vehicle registration laws of Indiana, to register vehicles, the tax imposed by this chapter shall become due and payable at the time the vehicle is acquired, brought into the state, or otherwise becomes subject to registration and the amount of tax to be paid by the owner for the remainder of the year shall be reduced by ten percent (10%) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the motor vehicle registration laws for annual registration by the owner. The tax shall be paid at the time of the registration of the vehicle.

(b) In the case of a vehicle that is acquired, or brought into the state, or for any other reason becomes subject to registration after January 1 of any year, then the owner may pay the applicable registration fee on the vehicle as provided in the motor vehicle registration laws and any excise tax due on the vehicle for the remainder of the annual registration year and simultaneously register the vehicle and pay the applicable registration fee and the excise tax due for the next succeeding annual registration year.

(c) Except as provided in subsection (f), no reduction in the applicable annual excise tax will be allowed to an Indiana resident applicant upon registration of any vehicle that was owned by the applicant on or prior to the registrant's annual registration period. A vehicle owned by an Indiana resident applicant that was located in and registered for use in another state during the same calendar year shall be entitled to the same reduction when registered in Indiana.

(d) The owner of a vehicle who sells the vehicle in a year in which the owner has paid the tax imposed by this chapter, shall receive a credit equal to the remainder of:

- (1) the tax paid for the vehicle; reduced by
- (2) ten percent (10%) for each full or partial calendar month that has elapsed in the registrant's annual registration year before the date of the sale.

The credit shall be applied to the tax due on any other vehicle purchased or subsequently registered by the owner in the same registrant's annual registration year. If the credit is not fully used and the amount of the credit remaining is at least four dollars (\$4), the owner is entitled to a refund in the amount of the unused credit. The owner must pay a fee of three dollars (\$3) to the bureau to cover costs of providing the refund, which may be deducted from the refund. The

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bureau shall issue the refund. ~~The bureau shall transfer to the bureau of motor vehicles commission three dollars (\$3) of the fee to cover the commission's costs in processing the refund.~~ To claim the credit and refund provided by this subsection, the owner of the vehicle must present to the bureau proof of sale of the vehicle.

(e) Subject to the requirements of subsection (g), the owner of a vehicle that is destroyed in a year in which the owner has paid the tax imposed by this chapter, which vehicle is not replaced by a replacement vehicle for which a credit is issued under this section, shall receive a refund in an amount equal to ten percent (10%) of the tax paid for each full calendar month remaining in the registrant's annual registration year after the date of destruction, but only upon presentation or return to the bureau of the following:

- (1) A request for refund on a form furnished by the bureau.
- (2) A statement of proof of destruction on an affidavit furnished by the bureau.
- (3) The license plate from the vehicle.
- (4) The registration from the vehicle.

However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed vehicle. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be paid out of the special account created for settlement of the excise tax collections under IC 6-6-5-10. For purposes of this subsection, a vehicle is considered destroyed if the cost of repair of damages suffered by the vehicle exceeds the vehicle's fair market value.

(f) If the name of the owner of a vehicle is legally changed and the change has caused a change in the owner's annual registration date, the excise tax liability of the owner shall be adjusted as follows:

- (1) If the name change requires the owner to register sooner than the owner would have been required to register if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:
 - (A) ten percent (10%) of the owner's last preceding annual excise tax liability; and
 - (B) the number of full calendar months between the owner's new regular annual registration month and the next succeeding regular annual registration month that is based on the owner's former name.
- (2) If the name change required the owner to register later than the owner would have been required to register if there had been



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no name change, the vehicle shall be subject to excise tax for the period between the month in which the owner would have been required to register if there had been no name change and the new regular annual registration month in the amount of the product of:

(A) ten percent (10%) of the owner's excise tax liability computed as of the time the owner would have been required to register if there had been no name change; and

(B) the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new regular annual registration month.

(g) In order to claim a credit under subsection (e) for a vehicle that is destroyed, the owner of the vehicle must present to the bureau of motor vehicles a valid registration for the vehicle within ninety (90) days of the date that it was destroyed. The bureau shall then fix the amount of the credit that the owner is entitled to receive.

SECTION 10. IC 6-6-5-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: **Sec. 7.5. (a) For calendar year 2003, the registration fee for a passenger motor vehicle that is registered in Indiana in calendar year 2002 shall be at the rate as set forth in IC 9-29-5-1 with no reduction for any partial calendar month that has elapsed since the regular annual registration date in calendar year 2002.**

(b) This section expires January 1, 2004.

SECTION 11. IC 9-13-2-154 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 154. "Restricted license" means any current driving license, on which the ~~commissioner~~ **bureau** has designated restrictions.

SECTION 12. IC 9-14-1-4, AS AMENDED BY P.L.181-1999, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. **(a)** The commissioner shall appoint and fix, subject to the approval of the governor, the salaries of the deputies, subordinate officers, clerks, **license branch managers, license branch employees,** and other employees necessary to carry out this title, IC 6-6-5, IC 6-6-5.5, and IC 6-6-11.

(b) Subject to the approval of the governor, the commissioner shall manage license branches and all equipment and funds necessary to carry out this title.

SECTION 13. IC 9-14-2-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: **Sec. 0.5. The bureau shall do the following:**

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- (1) Develop and continuously update the bureau's policies.
- (2) Recommend to the governor legislation that is needed to implement the bureau's policies.
- (3) Review, revise, adopt, and submit to the budget agency budget proposals for the bureau and the license branches operated under IC 9-16.
- (4) Establish the determination criteria and determine the number and location of license branches to be operated under IC 9-16. However, there must be at least one (1) full service license branch in each county.
- (5) Establish and adopt minimum standards for the operation and maintenance of each full service license branch operated under IC 9-16.
- (6) Administer the state license branch fund established under IC 9-29-14.

SECTION 14. IC 9-14-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. The commissioner shall do the following:

- (1) Administer and enforce this title and other statutes concerning the bureau.
- ~~(2) Administer and enforce the policies and procedures of the commission.~~
- ~~(3)~~ (2) Organize the bureau in the manner necessary to carry out the duties of the bureau.
- ~~(4) Submit to the commission, before September 1 of each year, budget proposals for the bureau, including license branches staffed by employees of the commission under IC 9-16.~~
- ~~(5) Perform other duties assigned by the commission.~~
- (3) Administer the state license branch fund established by IC 9-29-14-1 and all license branches in Indiana under this article.
- (4) Administer the collection and deposit of service charges by license branches prescribed by IC 9-29-3.
- (5) Contract with a qualified person for the operation of a full service license branch when it appears to be in the best interests of the state.

SECTION 15. IC 9-14-2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3.5. The bureau may contract for the operation of full service license branches under IC 9-16-1-4 and partial services under IC 9-16-1-4.5.

SECTION 16. IC 9-14-3-5, AS AMENDED BY P.L.225-1999,



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SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) Except as provided in subsection (b), (c), or (d), the bureau shall prepare and deliver information on titles, registrations, and licenses and permits upon the request of any person. All requests must be submitted in writing to the bureau and, unless exempted under IC 9-29, must be accompanied by the payment of the fee prescribed in IC 9-29-2-2.

(b) The bureau may not disclose the:

- (1) Social Security number;
- (2) federal identification number;
- (3) driver's license number; or
- (4) digital image of the driver's license applicant;

of any person except to a law enforcement officer or an agent or a designee of the department of state revenue.

(c) As provided under 42 U.S.C. 1973gg-3(b), the ~~commission~~ **bureau** may not disclose any information concerning the failure of an applicant for a motor vehicle driver's license to sign a voter registration application, except as authorized under IC 3-7-14.

(d) The ~~commission~~ **bureau** may not disclose any information concerning the failure of an applicant for a title, registration, license, or permit (other than a motor vehicle license described under subsection (c)) to sign a voter registration application, except as authorized under IC 3-7-14.

SECTION 17. IC 9-14-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 6. (a) Upon the submission to the bureau of a specific written request from an individual or organization for a compilation of specific information requested for the purposes described in subsection (c), the bureau may contract with the individual or organization to compile the requested information from the records of the bureau.

(b) The bureau may charge an amount agreeable to the parties, as described in IC 9-29-2-3.

(c) An individual or organization making a request under this section must certify one (1) of the following:

- (1) That the information is required for the purposes of notifying vehicle owners of vehicle defects and recall for modifications, and that the individual or organization will use the information provided only for that purpose.
- (2) That the information will be used only for research or statistical reporting purposes and that individual identities will be properly protected in the preparation of the research or reports and not ascertainable from the published reports or research



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1 results.

2 (3) That the information will be used for the purpose of
3 documenting the sale of motor vehicles in Indiana.

4 (4) That the information will be used for purposes of the federal
5 Selective Service System.

6 (5) That the information will be used solely for law enforcement
7 purposes by police officers.

8 (d) The ~~commission~~ **bureau** may not compile or release information
9 concerning voter registration under this section.

10 (e) The bureau shall provide the requested information under this
11 section in a format that is agreeable to the parties, including the
12 following formats:

13 (1) Printed records.

14 (2) Microfiche.

15 (3) Computer disk.

16 SECTION 18. IC 9-14-3.5-7, AS AMENDED BY P.L.39-2000,
17 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JANUARY 1, 2002]: Sec. 7. (a) Except as provided in sections 8, 10,
19 and 11 of this chapter:

20 (1) an officer or employee of the bureau;

21 (2) ~~an officer or employee of the bureau of motor vehicles~~
22 ~~commission~~; or

23 (3) ~~(2) a contractor of the bureau or the bureau of motor vehicles~~
24 ~~commission~~ (or an officer or employee of the contractor);

25 may not knowingly disclose personal information about a person
26 obtained by the bureau in connection with a motor vehicle record.

27 (b) A person's Social Security number shall not be in any way
28 disclosed on a motor vehicle registration.

29 SECTION 19. IC 9-16-1-1 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. As used in this
31 chapter, "qualified person" means any of the following:

32 (1) A motor club that is any of the following:

33 (A) A domestic corporation.

34 (B) A foreign corporation qualified to transact business in
35 Indiana under IC 23-1 or IC 23-17.

36 (2) A financial institution (as defined in IC 28-1-1-3).

37 (3) A new motor vehicle dealer licensed under IC 9-23-2.

38 (4) Other persons, including persons licensed under IC 9-23-2
39 that are not covered by subdivision (3), that the ~~commission~~
40 **bureau** determines can ~~meet the standards adopted by the~~
41 ~~commission under IC 9-15-2-1(7) and the requirements for partial~~
42 ~~service contractors under section 4.5 of this chapter: perform the~~

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duties set forth in IC 9-14.

SECTION 20. IC 9-16-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. The ~~commission~~ **commissioner** shall operate or be responsible for the administration of all license branches in Indiana under this article.

SECTION 21. IC 9-16-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3. (a) License branches have all the powers and duties assigned to license branches by statute and by the commissioner.

(b) The commissioner shall assign to license branches those functions that:

(1) the ~~commission or the~~ bureau is legally required or authorized to perform; and

(2) cannot be adequately performed by the ~~commission or the~~ bureau without assistance from the license branches.

SECTION 22. IC 9-16-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The ~~commission~~ **bureau** may contract with a qualified person for:

(1) the operation of a full service license branch under this section; or

(2) providing partial services **through electronic means** under section 4.5 of this chapter.

(b) A contract for the operation of a full service license branch must include the following provisions:

(1) The contractor shall provide a full service license branch, including the following services:

(A) Vehicle titles.

(B) Vehicle registration.

(C) Driver's licenses.

(D) Voter registration as provided in IC 3-7.

(2) The contractor shall provide trained personnel to properly process branch transactions.

(3) The contractor shall do the following:

(A) Collect and transmit all bureau fees and taxes collected at the license branch.

(B) Deposit the taxes collected at the license branch with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.

(4) The contractor shall generate a transaction volume sufficient to justify the installation of bureau support systems.

(5) The contractor shall provide fidelity bond coverage in an amount prescribed by the ~~commission~~ **bureau**.



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(6) The contractor may operate the license branch within a facility used for other purposes.

(7) The contractor shall pay the cost of any post audits conducted by the ~~commission~~ **bureau** or the state board of accounts on an actual cost basis.

~~(8) The commission shall provide support systems and driver's license examiners on the same basis as state operated branches.~~

~~(9) The commission shall provide the same equipment to contractors as is provided to state operated branches.~~

~~(10)~~ **(8)** The ~~commission~~ **bureau** must approve each location and physical facility based upon criteria developed by the ~~commission.~~ **bureau.**

~~(11)~~ **(9)** The term of the contract must be for a fixed period.

~~(12)~~ **(10)** The contractor shall agree to provide voter registration services and to perform the same duties imposed on the ~~commission~~ **bureau** under IC 3-7.

SECTION 23. IC 9-16-1-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4.5. (a) The ~~commission~~ **bureau** may contract with a qualified person to provide partial services at a qualified person's walk-up location, including locations within a facility used for other purposes, such as electronic titling and title application services and self-serve terminal access: **through electronic means.**

(b) A contract for providing ~~motor vehicle registration and renewal services at a walk-up location~~ **partial services through electronic means** must include the following provisions:

~~(1) The contractor must provide trained personnel to properly process motor vehicle registration and renewal transactions.~~

~~(2)~~ **(1)** The contractor shall do the following:

(A) Collect and transmit all bureau fees and taxes collected at the contract location.

(B) Deposit the taxes collected at the contract location with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.

~~(3)~~ **(2)** The contractor shall provide fidelity bond coverage in an amount prescribed by the ~~commission.~~ **bureau.**

~~(4)~~ **(3)** The contractor shall pay the cost of any post audits conducted by the ~~commission~~ **bureau** or the state board of accounts on an actual cost basis.

~~(5)~~ **(4)** The ~~commission~~ **bureau** must approve each location and physical facility used by a contractor.

~~(6)~~ **(5)** The term of the contract must be for a fixed period.



1 SECTION 24. IC 9-16-7-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. The
 3 ~~commission~~ **bureau** shall offer voter registration services under this
 4 chapter, in addition to providing a voter registration application as a
 5 part of an application for a motor vehicle driver's license, permit, or
 6 identification card under IC 9-24-2.5 and 42 U.S.C. 1973gg-3.

7 SECTION 25. IC 9-16-7-4 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. The registration
 9 forms provided under section 3 of this chapter must be:

10 (1) prescribed by the Indiana election commission to permit the
 11 NVRA official to fulfill the NVRA official's reporting duties
 12 under 42 U.S.C. 1973gg-7(a)(3) and IC 3-7-11-2; and

13 (2) placed in an easily accessible location within the branch, so
 14 that members of the public may obtain the forms without further
 15 assistance from ~~employees of the commission~~ **bureau**.

16 SECTION 26. IC 9-18-2-1, AS AMENDED BY P.L.181-1999,
 17 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JANUARY 1, 2002]: Sec. 1. (a) Within sixty (60) days of becoming an
 19 Indiana resident, a person must register all motor vehicles owned by
 20 the person that:

21 (1) are subject to the motor vehicle excise tax under IC 6-6-5; and
 22 (2) will be operated in Indiana.

23 (b) Within sixty (60) days after becoming an Indiana resident, a
 24 person must register all commercial vehicles owned by the person that:

25 (1) are subject to the commercial vehicle excise tax under
 26 IC 6-6-5.5;
 27 (2) are not subject to proportional registration under the
 28 International Registration Plan; and
 29 (3) will be operated in Indiana.

30 (c) A person must produce evidence concerning the date on which
 31 the person became an Indiana resident.

32 (d) Except as provided in subsection (e), an Indiana resident must
 33 register all motor vehicles operated in Indiana.

34 (e) An Indiana resident who has a legal residence in a state that is
 35 not contiguous to Indiana may operate a motor vehicle in Indiana for
 36 not more than sixty (60) days without registering the motor vehicle in
 37 Indiana.

38 (f) An Indiana resident who has registered a motor vehicle in
 39 Indiana in any previous registration year is not required to register the
 40 motor vehicle, is not required to pay motor vehicle excise tax under
 41 IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5 on the
 42 motor vehicle, and is exempt from property tax on the motor vehicle for

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any registration year in which:

(1) the Indiana resident is:

(A) an active member of the armed forces of the United States;

and

(B) assigned to a duty station outside Indiana; and

(2) the motor vehicle is not operated inside or outside Indiana.

This subsection may not be construed as granting the bureau authority to require the registration of any vehicle that is not operated in Indiana.

(g) When an Indiana resident registers a motor vehicle in Indiana after the period of exemption described in subsection (f), the Indiana resident may submit an affidavit that:

(1) states facts demonstrating that the motor vehicle is a motor vehicle described in subsection (e); and

(2) is signed by the owner of the motor vehicle under penalties of perjury;

as sufficient proof that the owner of the motor vehicle is not required to register the motor vehicle during a registration year described in subsection (f). The ~~commission or~~ bureau may not require the Indiana resident to pay any civil penalty or any reinstatement or other fee that is not also charged to other motor vehicles being registered in the same registration year.

SECTION 27. IC 9-18-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 8. (a) The bureau shall register vehicles under the schedule in this section.

(b) A person who owns a vehicle shall receive a license plate, renewal tag, or other indicia upon registration of the vehicle. The bureau may determine the device required to be displayed.

(c) A corporation shall register, before February 1 of each year, the following vehicles that are owned by the corporation:

(1) A passenger motor vehicle that is not regularly rented to others for not more than twenty-nine (29) days in the regular course of the corporation's business.

(2) A recreational vehicle.

(3) A motorcycle.

(4) A truck that:

(A) is not regularly rented to others for not more than twenty-nine (29) days in the regular course of the corporation's business; and

(B) has a declared gross weight of not more than eleven thousand (11,000) pounds.

(d) A corporation that owns a:

(1) passenger motor vehicle; or

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(2) truck that has a declared gross weight of not more than eleven thousand (11,000) pounds;
that is regularly rented to others for periods of not more than twenty-nine (29) days in the regular course of the corporation's business must register the passenger motor vehicle or truck before March 1 of each year.

(e) A person who owns a:

(1) passenger motor vehicle;

(2) recreational vehicle;

(3) motorcycle; or

(4) truck that has a declared gross weight of not more than eleven thousand (11,000) pounds;

that is not subject to the registration requirements under subsection (d) shall register the passenger motor vehicle, recreational vehicle, motorcycle, or truck in conformance with the schedule set forth in subsection (f).

(f) The following schedule applies to persons who own vehicles that are required to be registered under subsection (e):

(1) Persons whose last names begin with the letters A through ~~B~~, ~~inclusive~~, **BE** shall register before ~~March~~ **February 16** of each year.

(2) Persons whose last names begin with the letters ~~C~~ **BF** through ~~D~~, ~~inclusive~~, **BZ** shall register before ~~April~~ **March 1** of each year.

(3) Persons whose last names begin with the letters ~~E~~ through ~~G~~, ~~inclusive~~, **letter C** shall register before ~~May~~ **March 16** of each year.

(4) Persons whose last names begin with the letters ~~H~~ through ~~I~~, ~~inclusive~~, **letter D** shall register before ~~June~~ **April 1** of each year.

(5) Persons whose last names begin with the letters ~~J~~ through ~~L~~, ~~inclusive~~, **letters E through F** shall register before ~~July~~ **April 16** of each year.

(6) Persons whose last names begin with the letters ~~M~~ through ~~O~~, ~~inclusive~~, **letter G** shall register before ~~August~~ **May 1** of each year.

(7) Persons whose last names begin with the letters ~~P~~ **HA** through ~~R~~, ~~inclusive~~, **HN** shall register before ~~September~~ **May 16** of each year.

(8) Persons whose last names begin with the letters ~~S~~ **HO** through ~~T~~, ~~inclusive~~, **I** shall register before ~~October~~ **June 1** of each year.

(9) Persons whose last names begin with the letters ~~U~~ **J** through ~~Z~~, ~~inclusive~~, **KM** shall register before ~~November~~ **June 16** of each year.



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1 (10) Persons whose last names begin with the letters KN
2 through L shall register before July 1 of each year.

3 (11) Persons whose last names begin with the letters MA
4 through ME shall register before July 16 of each year.

5 (12) Persons whose last names begin with the letters MF
6 through O shall register before August 1 of each year.

7 (13) Persons whose last names begin with the letters P
8 through Q shall register before August 16 of each year.

9 (14) Persons whose last names begin with the letter R shall
10 register before September 1 of each year.

11 (15) Persons whose last names begin with the letters SA
12 through SN shall register before September 16 of each year.

13 (16) Persons whose last names begin with the letters SO
14 through T shall register before October 1 of each year.

15 (17) Persons whose last names begin with the letters U
16 through WK shall register before October 16 of each year.

17 (18) Persons whose last names begin with the letters WL
18 through Z shall register before November 1 of each year.

19 (g) A person who owns a vehicle required to be registered under
20 subsection (c), (d), or (e) and who desires to register the vehicle for the
21 first time must apply to the bureau for a registration application form.
22 The bureau shall do the following:

23 (1) Administer the registration application form.

24 (2) Issue the license plate.

25 (3) Collect the proper registration and service fees in accordance
26 with the procedure established by the bureau.

27 (h) The bureau shall issue a semipermanent plate under section 30
28 of this chapter, or:

29 (1) an annual renewal tag; or

30 (2) other indicia;

31 to be affixed on the semipermanent plate.

32 SECTION 28. IC 9-18-2-13 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 13. Except as
34 provided in sections 14 and 15 of this chapter, a person who:

35 (1) has leased; or

36 (2) is the owner of;

37 a vehicle that is required to be registered under this chapter ~~shall at a~~
38 ~~license branch in the county in which the person is a resident, apply for~~
39 ~~and obtain the registration of the vehicle, if the application is made in~~
40 ~~person over the counter at a full service branch. Otherwise, the person~~
41 ~~may apply for and obtain the registration in any county. After June 30,~~
42 ~~1997, the bureau may establish a pilot project that permits cross county~~

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1 registration renewal in person over the counter at a full service branch
2 if a metal plate is not required:

3 SECTION 29. IC 9-18-2-15, AS AMENDED BY P.L.181-1999,
4 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JANUARY 1, 2002]: Sec. 15. (a) Except as provided in subsection (b),
6 a person who:

7 (1) owns a vehicle that is subject to the motor vehicle excise tax
8 under IC 6-6-5 or the commercial vehicle excise tax under
9 IC 6-6-5.5;

10 (2) is leasing the vehicle to another person; ~~who resides in a~~
11 ~~different county;~~ and

12 (3) has agreed to register the vehicle as a condition of the lease;
13 ~~shall register the vehicle in the county of residence of the person who~~
14 ~~is leasing the vehicle; if the application is made in person over the~~
15 ~~counter at a full service branch. Otherwise, the person may apply for~~
16 and obtain the registration in any county.

17 (b) If a vehicle is being registered subject to the International
18 Registration Plan, the vehicle shall be registered at the department of
19 state revenue under rules adopted under IC 4-22-2.

20 (c) A vehicle that is being leased and is not subject to the motor
21 vehicle excise tax under IC 6-6-5 may be registered in ~~the any~~ county.
22 ~~of residence of the person who:~~

23 ~~(1) owns;~~

24 ~~(2) is the lessor of; or~~

25 ~~(3) is the lessee of;~~

26 ~~the vehicle.~~

27 SECTION 30. IC 9-18-2-25 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 25. (a) If the
29 bureau is not able to comply with the provisions of this title relating to
30 the furnishing of license plates ~~or chauffeur's badges~~ because of a:

31 (1) ~~metal materials~~ shortage; or

32 (2) regulation of a board or an agency of the United States
33 government;

34 the bureau may adopt rules under IC 4-22-2 to provide the type and
35 number of license plates ~~and chauffeur's badges~~ that will be furnished
36 and displayed and the manner in which the plates ~~and badges~~ must be
37 displayed.

38 (b) Compliance with a rule adopted under this section satisfies the
39 provisions of this chapter relating to the display of license plates. ~~or~~
40 ~~chauffeur's badges.~~

41 SECTION 31. IC 9-18-26-15 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 15. In addition to

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the civil penalty imposed under section 14 of this chapter, the bureau may restrict, suspend, or revoke a dealer ~~metal~~ **permanent** or interim license plate that was issued to the violator.

SECTION 32. IC 9-18-27-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. In addition to the civil penalty imposed under section 10 of this chapter, the bureau may revoke a dealer ~~metal~~ **permanent** or interim license plate that was issued to the violator.

SECTION 33. IC 9-18-29-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The fee for an environmental license plate is as follows:

(1) The appropriate fee under IC 9-29-5-38.

(2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau. ~~of motor vehicles commission.~~

SECTION 34. IC 9-18-30-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The fee for a children's trust license plate is as follows:

(1) The appropriate fee under IC 9-29-5-38.

(2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau. ~~of motor vehicles commission.~~

SECTION 35. IC 9-18-31-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. The fees collected under this chapter shall be distributed as follows:

(1) ~~Through December 31, 2001,~~ Twenty-five percent (25%) to the superintendent of public instruction to administer the school intervention and career counseling development program and fund under IC 20-10.1-28.

(2) ~~Through December 31, 2001,~~ Seventy-five percent (75%) ~~and beginning January 1, 2002, one hundred percent (100%),~~ as provided under section 7 of this chapter.

SECTION 36. IC 9-23-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. A person who ceases a business activity for which a license was issued under this chapter shall do the following:

(1) Notify the bureau of the date that the business activity will cease.

(2) Deliver all ~~metal~~ **permanent** dealer license plates and interim license plates issued to the person to the bureau within ten (10) days of the date the business activity will cease.

SECTION 37. IC 9-23-6-5 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. In addition to
 2 the penalty imposed under section 4 of this chapter, the bureau may
 3 revoke a dealer ~~metal~~ **permanent** or interim license plate that was
 4 issued to the violator.

5 SECTION 38. IC 9-24-2.5-1 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. This chapter
 7 prescribes the procedures to be followed by the ~~commission~~ **bureau** in
 8 processing voter registration applications under 42 U.S.C. 1973gg-3
 9 and IC 3-7-14.

10 SECTION 39. IC 9-24-2.5-2 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. The manager
 12 of each license branch may designate an employee of the license
 13 branch as the individual responsible for performing the voter
 14 registration duties of the ~~commission~~ **bureau** under this chapter at that
 15 license branch. The employee designated under this section shall
 16 supervise the registration of voters by other employees of the license
 17 branch and shall perform any other registration duty required to be
 18 performed by the license branch under this chapter. Notwithstanding
 19 this designation, any employee of the license branch may perform
 20 registration duties in accordance with this chapter.

21 SECTION 40. IC 9-24-2.5-3 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3. If the manager
 23 does not designate an employee under section 2 of this chapter, the
 24 manager is the individual responsible for performing the voter
 25 registration duties of the ~~commission~~ **bureau** under this chapter at that
 26 license branch. The manager shall supervise the registration of voters
 27 by other employees of the license branch and shall perform any other
 28 registration duty required to be performed by the license branch under
 29 this chapter. Notwithstanding the designation of the manager under this
 30 section, any employee of the license branch may perform registration
 31 duties in accordance with this chapter.

32 SECTION 41. IC 9-24-2.5-8 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 8. (a) The
 34 co-directors of the election division shall provide the ~~commission~~
 35 **bureau** with a list of the current addresses and telephone numbers of
 36 the offices of the circuit court clerk or board of registration in each
 37 county. The ~~commission~~ **bureau** shall promptly forward the list and
 38 each revision of the list to each license branch.

39 (b) The co-directors of the election division shall provide the
 40 ~~commission~~ **bureau** with pre-addressed packets for the ~~commission~~
 41 **bureau** to transmit applications under section 6(1) or 6(2) of this
 42 chapter.



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1 SECTION 42. IC 9-24-2.5-10 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 10. The
 3 co-directors of the election division shall notify the ~~commission~~
 4 **bureau** of the following:

- 5 (1) The scheduled date of each primary, general, municipal, and
 6 special election.
- 7 (2) The jurisdiction in which the election will be held.
- 8 (3) The date when registration ceases under IC 3-7-13-10 before
 9 each primary, general, municipal, and special election.

10 SECTION 43. IC 9-24-2.5-11 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. The
 12 ~~commission bureau~~ shall provide the co-directors of the election
 13 division with a list stating the following:

- 14 (1) The address and telephone number of each license branch.
- 15 (2) The name of the manager of the license branch and any
 16 employee designated by the manager to be responsible for
 17 performing voter registration duties under this chapter.

18 SECTION 44. IC 9-24-9-2, AS AMENDED BY P.L.39-2000,
 19 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JANUARY 1, 2002]: Sec. 2. Each application for a license or permit
 21 under this chapter must require the following information:

- 22 (1) The name, ~~age~~, **date of birth**, sex, and mailing address and,
 23 if different from the mailing address, the residence address of the
 24 applicant. The applicant shall indicate to the bureau which
 25 address the license or permit shall contain.
- 26 (2) Whether the applicant has been licensed as an operator, a
 27 chauffeur, or a public passenger chauffeur or has been the holder
 28 of a learner's permit, and if so, when and by what state.
- 29 (3) Whether the applicant's license or permit has ever been
 30 suspended or revoked, and if so, the date of and the reason for the
 31 suspension or revocation.
- 32 (4) Whether the applicant has been convicted of a crime
 33 punishable as a felony under Indiana motor vehicle law or any
 34 other felony in the commission of which a motor vehicle was
 35 used.
- 36 (5) Whether the applicant has a physical or mental disability, and
 37 if so, the nature of the disability and other information the bureau
 38 directs.

39 The bureau shall maintain records of the information provided under
 40 subdivisions (1) through (5).

41 SECTION 45. IC 9-24-11-5, AS AMENDED BY P.L.39-2000,
 42 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JANUARY 1, 2002]: Sec. 5. (a) A permit or license issued under this chapter must bear the distinguishing number assigned to the permittee or licensee and must contain:

- (1) the name;
- (2) the ~~age~~; **date of birth**;
- (3) the mailing address or residence address;
- (4) a brief description; and
- (5) except as provided in subsection (c), **for the purpose of identification**, a:

(A) photograph; or

(B) **computerized image**;

of the permittee or licensee, ~~for the purpose of identification~~, and additional information that the bureau considers necessary, including a space for the signature of the permittee or licensee.

(b) In carrying out this section, the bureau shall obtain the equipment necessary to provide the photographs **and computerized images** for permits and licenses as provided in subsection (a).

(c) The following permits or licenses do not require a photograph **or computerized image**:

~~(1) Learner's permit issued under IC 9-24-7.~~

~~(2) (1)~~ Temporary motorcycle learner's permit issued under IC 9-24-8.

~~(3) (2)~~ Motorcycle learner's permit issued under IC 9-24-8.

~~(4) (3)~~ Operator's license reissued under IC 9-24-12-6.

(d) The bureau may provide for the omission of a photograph **or computerized image** from any other license or permit if there is good cause for the omission.

SECTION 46. IC 9-24-12-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. The application for renewal of:

- (1) an operator's **license**;
- (2) a motorcycle operator's **license**;
- (3) a chauffeur's **license**; ~~and~~
- (4) a public passenger chauffeur's license; **or**
- (5) **an identification card**;

under this article may be filed not more than six (6) months before the expiration date of the license **or identification card** held by the applicant.

SECTION 47. IC 9-24-12-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) An individual who applies for renewal of an operator's, **motorcycle operator's, chauffeur's, or public passenger chauffeur's license in**



1 **person at a license branch** must do the following:

- 2 (1) Pass an eyesight examination.
 3 (2) Pass a written examination if:
 4 (A) the applicant has at least six (6) active points on the
 5 applicant's driving record maintained by the bureau; or
 6 (B) the applicant holds a valid operator's license but has not
 7 reached the applicant's twenty-first birthday.

8 **(b) An individual may apply for renewal of an operator's, a**
 9 **motorcycle operator's, a chauffeur's, or a public passenger**
 10 **chauffeur's license by mail or by electronic service if the following**
 11 **conditions are met:**

- 12 (1) A valid computerized image of the individual exists within
 13 the records of the bureau.
 14 (2) The previous renewal of the operator's, motorcycle
 15 operator's, chauffeur's, or public passenger chauffeur's
 16 license was not made by mail or by electronic service.
 17 (3) The previous renewal included a test approved by the
 18 bureau of the applicant's eyesight.
 19 (4) The applicant, if applying for the renewal in person at a
 20 license branch, would not be required under subsection (a)(2)
 21 to submit to a written examination.

22 **(c) An individual applying for the renewal of an operator's, a**
 23 **motorcycle operator's, a chauffeur's, or a public passenger**
 24 **chauffeur's license must apply in person at a license branch under**
 25 **subsection (a) if the individual is not entitled to apply by mail or by**
 26 **electronic service under subsection (b).**

27 SECTION 48. IC 9-24-16-3, AS AMENDED BY P.L.39-2000,
 28 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JANUARY 1, 2002]: Sec. 3. (a) An identification card must have the
 30 same dimensions and shape as a driver's license, but the card must have
 31 markings sufficient to distinguish the card from a driver's license.

32 (b) The front side of an identification card must contain the
 33 following information about the individual to whom the card is being
 34 issued:

- 35 (1) Full legal name.
 36 (2) Mailing address and, if different from the mailing address, the
 37 residence address.
 38 (3) ~~Birth~~ **Date of birth.**
 39 (4) Date of issue and date of expiration.
 40 (5) Distinctive identification number or Social Security account
 41 number, whichever is requested by the individual.
 42 (6) Sex.



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(7) Weight.

(8) Height.

(9) Color of eyes and hair.

(10) Signature of the individual identified.

(11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).

(12) Photograph or computerized image.

SECTION 49. IC 9-24-16-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) An application for renewal of an identification card ~~must~~ **may** be made **not more than six (6) months** before the expiration date of the card. A renewal application received after the date of expiration is considered to be a new application.

(b) A renewed card becomes valid on the birth date of the holder and remains valid for four (4) years.

(c) If renewal has not been made within six (6) months after expiration, the bureau shall destroy all records pertaining to the former cardholder.

(d) Renewal may not be granted if the cardholder was issued a driver's license subsequent to the last issuance of an identification card.

(e) An individual may apply for renewal of an identification card by mail or by electronic service if the following conditions are met:

(1) A valid computerized image of the individual exists within the records of the bureau.

(2) The previous renewal of the identification card was not made by mail or by electronic service.

SECTION 50. IC 9-29-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. (a) Money from the increases in fees levied by the 1969 regular session of the general assembly in IC 9-18-2, IC 9-18-5, IC 9-18-6, IC 9-18-7, IC 9-18-9, IC 9-18-10, IC 9-18-16, IC 9-24-3, IC 9-24-4, IC 9-24-5, IC 9-24-7, IC 9-24-8, IC 9-24-10, IC 9-24-11, IC 9-24-12, IC 9-24-13, IC 9-24-14, and IC 9-29-9-15 (IC 9-1-4 before its repeal on July 1, 1991) shall be deposited daily with the treasurer of state and credited to the highway, road, and street fund established under IC 8-14-2-2.1.

(b) For the purpose of providing adequate and sufficient funds for the crossroads 2000 fund established under IC 8-14-10-9; and subject to subsection (c); after June 30, 1997; with the approval of the bureau of motor vehicles commission the bureau of motor vehicles may adopt rules under IC 4-22-2 to increase; by an amount that is in addition to the fees specified by statute; the fees under the following:



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1 ~~IC 9-29-4-3~~
 2 ~~IC 9-29-5~~
 3 ~~IC 9-29-9-1~~
 4 ~~IC 9-29-9-2~~
 5 ~~IC 9-29-9-3~~
 6 ~~IC 9-29-9-4~~
 7 ~~IC 9-29-9-5~~
 8 ~~IC 9-29-9-6~~
 9 ~~IC 9-29-9-7~~
 10 ~~IC 9-29-9-8~~
 11 ~~IC 9-29-9-9~~
 12 ~~IC 9-29-9-10~~
 13 ~~IC 9-29-9-11~~
 14 ~~IC 9-29-9-13~~
 15 ~~IC 9-29-9-14~~
 16 ~~IC 9-29-15-1~~
 17 ~~IC 9-29-15-2~~
 18 ~~IC 9-29-15-3~~
 19 ~~IC 9-29-15-4~~

20 The amount of fees increased under this section shall first be deposited
 21 into the crossroads 2000 fund established under ~~IC 8-14-10-9~~.

22 ~~(c)~~ (b) For the purpose of providing adequate and sufficient
 23 funds for the crossroads 2000 fund established by IC 8-14-10-9,
 24 and subject to subsection (c), the bureau of motor vehicles may
 25 adopt rules under IC 4-22-2 to increase, by an amount that is in
 26 addition to the fees specified by statute, the fees under the
 27 following:

28 IC 9-29-4-3
 29 IC 9-29-5
 30 IC 9-29-9-1
 31 IC 9-29-9-2
 32 IC 9-29-9-3
 33 IC 9-29-9-4
 34 IC 9-29-9-5
 35 IC 9-29-9-6
 36 IC 9-29-9-7
 37 IC 9-29-9-8
 38 IC 9-29-9-9
 39 IC 9-29-9-10
 40 IC 9-29-9-11
 41 IC 9-29-9-13
 42 IC 9-29-9-14



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1 **IC 9-29-15-1**

2 **IC 9-29-15-2**

3 **IC 9-29-15-3**

4 **IC 9-29-15-4**

5 **The amount of fees increased under this section shall first be**
 6 **deposited into the crossroads 2000 fund established by**
 7 **IC 8-14-10-9.**

8 (c) The bureau's authority to adopt rules under subsection (b) is
 9 subject to the condition that a fee increase must be uniform through out
 10 all license branches and at all partial service locations in Indiana.

11 SECTION 51. IC 9-29-3-4 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The service
 13 charge for each of the first twelve thousand (12,000) vehicle
 14 registrations at a license branch each year is ~~one dollar~~ **two dollars** and
 15 twenty-five cents (~~\$1.25~~). **(\$2.25).**

16 (b) The service charge for each of the next thirty-eight thousand
 17 (38,000) vehicle registrations at that license branch each year is ~~one~~
 18 **dollar (\$1): two dollars (\$2).**

19 (c) The service charge for each additional vehicle registration at that
 20 license branch each year is ~~one dollar and seventy-five cents (\$0.75):~~
 21 **(\$1.75).**

22 **(d) One dollar (\$1) of each service charge collected under this**
 23 **section shall be deposited in the state motor vehicle technology**
 24 **fund established by IC 9-29-16-1.**

25 SECTION 52. IC 9-29-3-6 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 6. (a) The service
 27 charge for each delinquent title is ~~two~~ **three dollars (\$3).**

28 **(b) One dollar (\$1) of each service charge collected under**
 29 **subsection (a) shall be deposited in the state motor vehicle**
 30 **technology fund established by IC 9-29-16-1.**

31 SECTION 53. IC 9-29-3-7 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 7. (a) The service
 33 charge for each transfer of title is ~~one dollar (\$1):~~ **two dollars (\$2).**

34 **(b) One dollar (\$1) of each service charge collected under**
 35 **subsection (a) shall be deposited in the state motor vehicle**
 36 **technology fund established by IC 9-29-16-1.**

37 SECTION 54. IC 9-29-3-8 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 8. (a) The service
 39 charge for each of the first two thousand (2,000) operator's licenses,
 40 including motorcycle operator's licenses, issued at a license branch
 41 each year is ~~one dollar two dollars and fifty cents (\$1.50):~~ **(\$2.50).**

42 (b) The service charge for each additional operator's license or

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motorcycle operator's license issued at that license branch each year is ~~one dollar (\$1): two dollars (\$2).~~

(c) **One dollar (\$1) of each service charge collected under this section shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.**

SECTION 55. IC 9-29-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 9. (a) The service charge for each learner's permit, chauffeur's license, or public passenger chauffeur's license is ~~one dollar two dollars and fifty cents (\$1.50): (\$2.50).~~

(b) **One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.**

SECTION 56. IC 9-29-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 10. (a) The service charge for each temporary motorcycle learner's permit, motorcycle learner's permit, or motorcycle endorsement of an operator's license is ~~one dollar (\$1): two dollars (\$2).~~

(b) **One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.**

SECTION 57. IC 9-29-3-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. (a) The service charge for each motorcycle operator endorsement of a chauffeur's license or a public passenger chauffeur's license is ~~one dollar and fifty cents (\$0.50): (\$1.50).~~

(b) **One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.**

SECTION 58. IC 9-29-3-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 12. (a) The service charge for each replacement license or permit is ~~one dollar (\$1): two dollars (\$2).~~

(b) **One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.**

SECTION 59. IC 9-29-3-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 13. The service charge for each license that is required to bear a photograph **or computerized image** is fifty cents (\$0.50).

SECTION 60. IC 9-29-3-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 14. (a) The

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1 service charge for an identification card issued under IC 9-24 is **one**
 2 **dollar (\$1) and one-half (1/2)** of each fee collected **as set forth in**
 3 **IC 9-29-9-15.**

4 **(b) One dollar (\$1) of each service charge collected under**
 5 **subsection (a) shall be deposited in the state motor vehicle**
 6 **technology fund established by IC 9-29-16-1.**

7 SECTION 61. IC 9-29-3-18 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 18. **(a)** The
 9 service charge for each duplicate registration card issued under IC 9-18
 10 is ~~one dollar (\$1):~~ **two dollars (\$2).**

11 **(b) One dollar (\$1) of each service charge collected under**
 12 **subsection (a) shall be deposited in the state motor vehicle**
 13 **technology fund established by IC 9-29-16-1.**

14 SECTION 62. IC 9-29-3-19 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 19. (a) Subject to
 16 subsection (b), ~~and with the approval of the commission,~~ the bureau
 17 may adopt rules under IC 4-22-2 to do the following:

18 (1) Increase or decrease any of the service charges listed in
 19 sections 1 through 18 of this chapter.

20 (2) Impose a service charge on any other license branch service
 21 that is not listed in sections 1 through 18 of this chapter.

22 (3) Increase or decrease a service charge imposed under
 23 subdivision (2).

24 (b) The bureau's authority to adopt rules under subsection (a) is
 25 subject to the condition that a service charge must be uniform
 26 throughout all license branches and at all partial service locations in
 27 Indiana.

28 SECTION 63. IC 9-29-3-21 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 21. (a) The
 30 service charges listed in sections 1 through 15 of this chapter shall be
 31 withheld from the statutory fees for the services provided and may not
 32 be added to those fees.

33 (b) The service charges listed in sections 16, 17, and 18 of this
 34 chapter are in addition to the statutory fees for the services provided
 35 and may not be withheld from those fees.

36 **(c) The service charges collected as set forth in sections 4(d),**
 37 **6(b), 7(b), 8(c), 9(b), 10(b), 11(b), 12(b), 14(b), and 18(b) of this**
 38 **chapter, IC 9-29-15-1(c), and IC 9-29-15-4(c) are in addition to the**
 39 **statutory fees for the services collected and may not be withheld**
 40 **from those fees.**

41 SECTION 64. IC 9-29-14-1 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. The state

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license branch fund is established for the purpose of paying the expenses incurred in administering ~~IC 9-16~~ **IC 9-14**. The fund shall be administered by the ~~commission~~ **bureau**.

SECTION 65. IC 9-29-14-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. There is annually appropriated to the ~~commission~~ **bureau** the money in the fund for its use in carrying out the purposes of ~~IC 9-16~~ **IC 9-14** subject to the approval of the budget agency.

SECTION 66. IC 9-29-15-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. (a) The fee for a certificate of title or a duplicate certificate of title under IC 9-31-2 is ~~nine ten dollars (\$9)~~ **(\$10)**.

(b) The fee is distributed as follows:

(1) Seven dollars (\$7) to the department of natural resources.

(2) ~~Two Three dollars (\$2)~~ **(\$3)** to the bureau.

(c) One dollar (\$1) of each fee distributed under subsection (b)(2) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 67. IC 9-29-15-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The ~~fee fees~~ to register a motorboat under IC 9-31-3 ~~is are~~ as follows:

(1) ~~Twelve Thirteen dollars (\$12)~~ **(\$13)** for a Class 1 motorboat.

(2) ~~Fourteen Fifteen dollars (\$14)~~ **(\$15)** for a Class 2, Class 3, or Class 4 motorboat.

(3) ~~Seventeen Eighteen dollars (\$17)~~ **(\$18)** for a Class 5 motorboat.

(4) ~~Twenty-two Twenty-three dollars (\$22)~~ **(\$23)** for a Class 6 or Class 7 motorboat.

(b) The department of natural resources receives:

(1) twelve dollars (\$12) for a Class 1 motorboat;

(2) fourteen dollars (\$14) for a Class 2, Class 3, or Class 4 motorboat;

(3) seventeen dollars (\$17) for a Class 5 motorboat; and

(4) twenty-two dollars (\$22) for a Class 6 or Class 7 motorboat;

of the fee collected under subsection (a).

(c) One dollar (\$1) of each fee collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 68. IC 9-29-16 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]:



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Chapter 16. State Motor Vehicle Technology Fund

Sec. 1. The state motor vehicle technology fund is established for the purpose of paying for new technology as it becomes available to carry out the functions of IC 9-14-2. The fund shall be administered by the bureau. This fund is in addition to normal budgetary appropriations.

Sec. 2. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

Sec. 3. Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 4. There is annually appropriated to the bureau the money in the fund to procure as the need arises:

- (1) computer equipment and software;
- (2) telephone equipment and software;
- (3) electronic queue systems;
- (4) other related devices; or
- (5) technology services;

subject to the approval of the budget agency.

Sec. 5. The fund consists of the following:

(1) One dollar (\$1) of each service charge or fee collected by license branches under the following:

- (A) IC 9-29-3-4.
- (B) IC 9-29-3-6.
- (C) IC 9-29-3-7.
- (D) IC 9-29-3-8.
- (E) IC 9-29-3-9.
- (F) IC 9-29-3-10.
- (G) IC 9-29-3-11.
- (H) IC 9-29-3-12.
- (I) IC 9-29-3-14.
- (J) IC 9-29-3-18.
- (K) IC 9-29-15-1.
- (L) IC 9-29-15-4.

(2) Money received from any other source, including appropriations.

SECTION 69. IC 34-13-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. This chapter ~~applies~~ **does not apply** to a claim or suit in tort against ~~any of the following:~~

(+) A member of the bureau of motor vehicles commission established under ~~IC 9-15-1-1.~~



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(2) ~~An employee of the bureau of motor vehicles commission who is employed at a license branch under IC 9-16, except for an employee employed:~~

(1) **at a license branch operated under a contract with the bureau under IC 9-16; or**

(2) **by an employer offering partial services through electronic means under a contract with the ~~commission~~ bureau under IC 9-16.**

SECTION 70. IC 36-1-8-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. (a) This section does not apply to a county treasurer governed by IC 36-2-10-23.

(b) As used in this section, "credit card" means a:

- (1) credit card;
- (2) debit card;
- (3) charge card; or
- (4) stored value card.

(c) A payment to a political subdivision or a municipally owned utility for any purpose may be made by any of the following financial instruments that the fiscal body of the political subdivision or the board of the municipally owned utility authorizes for use:

- (1) Cash.
- (2) Check.
- (3) Bank draft.
- (4) Money order.
- (5) Bank card or credit card.
- (6) Electronic funds transfer.
- (7) Any other financial instrument authorized by the fiscal body.

(d) If there is a charge to the political subdivision or municipally owned utility for the use of a financial instrument other than a bank card or credit card, the political subdivision or municipally owned utility shall collect a sum equal to the amount of the charge from the person who uses the financial instrument.

(e) If authorized by the fiscal body of the political subdivision or the board of the municipally owned utility, the political subdivision or municipally owned utility may accept payments under this section with a bank card or credit card under the procedures set forth in this section. However, the procedure authorized for a particular type of payment must be uniformly applied to all payments of the same type.

(f) The political subdivision or municipally owned utility may contract with a bank card or credit card vendor for acceptance of bank cards or credit cards.

(g) The political subdivision or municipally owned utility may pay

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any applicable bank card or credit card service charge associated with the use of a bank card or credit card under this subsection.

(h) The authorization of the fiscal body of the political subdivision is not required by the bureau of motor vehicles ~~or the bureau of motor vehicles commission~~ to use electronic funds transfer or other financial instruments to transfer funds to the political subdivision.

SECTION 71. IC 36-2-10-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 23. (a) Notwithstanding any other law, payments to the treasurer for any purpose, including property tax payments, may be made by any of the following financial instruments that the treasurer authorizes for use:

- (1) Cash.
- (2) Check.
- (3) Bank draft.
- (4) Money order.
- (5) Bank card or credit card.
- (6) Electronic funds transfer.
- (7) Any other financial instrument authorized by the treasurer.

(b) If there is a charge to the treasurer for the use of a financial instrument other than a bank card or credit card, the treasurer shall collect a sum equal to the amount of the charge from the person who uses the financial instrument.

(c) A treasurer may contract with a bank card or credit card vendor for acceptance of bank or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the treasurer or charged directly to the treasurer's account, the treasurer shall collect from the person using the card an official fee that may not exceed the highest transaction charge or discount fee charged to the treasurer by bank or credit card vendors during the most recent collection period. This fee may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such a fee. The fee is a permitted additional charge under IC 24-4.5-3-202.

(d) Notwithstanding subsection (a), the authorization of the treasurer is not required for the bureau of motor vehicles ~~or the bureau of motor vehicles commission~~ to use electronic funds transfer or other financial instruments to transfer funds to the county treasurer.

SECTION 72. THE FOLLOWING ARE REPEALED [EFFECTIVE JANUARY 1, 2002]: IC 9-13-2-32; IC 9-13-2-138; IC 9-14-1-6; IC 9-14-2-7; IC 9-14-3-11; IC 9-15; IC 9-16-2-1; IC 9-16-2-2; IC 9-16-2-3; IC 9-16-2-4; IC 9-16-2-5; IC 9-16-3-1; IC 9-16-3-2; IC 9-16-3-3; IC 9-16-3-4; IC 9-16-4-1; IC 9-16-4-2; IC 9-24-12-9.

SECTION 73. [EFFECTIVE JANUARY 1, 2002] **The rules**



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1 adopted by the bureau of motor vehicles commission before
2 January 1, 2002, concerning the administration of the personnel
3 policies and practices of the license branches operating under the
4 bureau of motor vehicles commission are considered, after
5 December 31, 2001, rules of the bureau of motor vehicles.

6 SECTION 74. [EFFECTIVE JANUARY 1, 2002] On January 1,
7 2002, the bureau of motor vehicles:

8 (1) becomes the owner of all real and personal property and
9 other assets; and

10 (2) is responsible for all liabilities and obligations;
11 of the bureau of motor vehicles commission abolished by this act.

12 SECTION 75. [EFFECTIVE JANUARY 1, 2002] Any fund under
13 the control or supervision of the bureau of motor vehicles
14 commission on December 31, 2001, shall be transferred to the
15 control or supervision of the bureau of motor vehicles on January
16 1, 2002.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1170, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-7-14-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3. The bureau of motor vehicles ~~commission~~ is the state's motor vehicle authority for purposes of NVRA.

SECTION 2. IC 3-7-32-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) This section does not apply to a registration by mail form.

(b) Each voter applying to register at the county voter registration office shall, upon completing the voter registration form, receive a notice of disposition stating whether the voter's name has been added to the registration rolls if the application is approved.

(c) Each voter applying to register before ~~a~~ **the** bureau of motor vehicles ~~commission~~ or a voter registration agency shall, upon completing the voter registration application form, receive a registration acknowledgement stating that the registration form will be forwarded to the appropriate county voter registration office so that the voter's name may be added to the registration rolls if the application is approved.

SECTION 3. IC 3-7-34-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. If a registration form contains all of the information required to be supplied by the voter, but does not include the information required to be supplied by the bureau of motor vehicles ~~commission~~ or a voter registration agency, the circuit court clerk or board of registration shall promptly make one (1) effort to contact the officer, ~~commission~~, **bureau**, or agency to obtain the information.

SECTION 4. IC 3-7-34-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 7. (a) The circuit court clerk or board of registration shall certify to the county election board a list of the registration forms that have been processed under section 6 of this chapter but do not contain information required to be supplied by the bureau of motor vehicles ~~commission~~ or a voter registration agency.

(b) The county election board shall notify the ~~commission~~ **bureau of motor vehicles** or agency by United States first class mail that the ~~commission~~ **bureau of motor vehicles** or agency is required to supply

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the omitted information not later than thirty (30) days after the date of the letter.

SECTION 5. IC 5-10.3-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. The following employees may not be members of the fund:

(1) Officials of a political subdivision elected by vote of the people, unless the governing body specifically provides for the participation of locally elected officials.

(2) Employees occupying positions normally requiring performance of service of less than six hundred (600) hours during a year who:

(A) were hired before July 1, 1982; or

(B) are employed by a participating school corporation.

(3) Independent contractors or officers or employees paid wholly on a fee basis.

(4) Employees who occupy positions that are covered by other pension or retirement funds or plans, maintained in whole or in part by appropriations by the state or a political subdivision, except:

(A) the federal Social Security program; and

(B) the prosecuting attorneys retirement fund created by IC 33-14-9.

~~(5) Managers or employees of a license branch of the bureau of motor vehicles commission, except those persons who may be included as members under IC 9-16-4.~~

~~(6)~~ (5) Employees, except employees of a participating school corporation, hired after June 30, 1982, occupying positions normally requiring performance of service of less than one thousand (1,000) hours during a year.

~~(7)~~ (6) Persons who:

(A) are employed by the state;

(B) have been classified as federal employees by the Secretary of Agriculture of the United States; and

(C) are covered by the federal Social Security program as federal employees under 42 U.S.C. 410.

~~(8)~~ (7) Members and employees of the state lottery commission.

SECTION 6. IC 5-14-3-2, AS AMENDED BY P.L.256-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. As used in this chapter:

"Copy" includes transcribing by handwriting, photocopying, xerography, duplicating machine, duplicating electronically stored data onto a disk, tape, drum, or any other medium of electronic data storage,

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and reproducing by any other means.

"Direct cost" means one hundred five percent (105%) of the sum of the cost of:

- (1) the initial development of a program, if any;
- (2) the labor required to retrieve electronically stored data; and
- (3) any medium used for electronic output;

for providing a duplicate of electronically stored data onto a disk, tape, drum, or other medium of electronic data retrieval under section 8(g) of this chapter, or for reprogramming a computer system under section 6(c) of this chapter.

"Electronic map" means copyrighted data provided by a public agency from an electronic geographic information system.

"Enhanced access" means the inspection of a public record by a person other than a governmental entity and that:

- (1) is by means of an electronic device other than an electronic device provided by a public agency in the office of the public agency; or
- (2) requires the compilation or creation of a list or report that does not result in the permanent electronic storage of the information.

"Facsimile machine" means a machine that electronically transmits exact images through connection with a telephone network.

"Inspect" includes the right to do the following:

- (1) Manually transcribe and make notes, abstracts, or memoranda.
- (2) In the case of tape recordings or other aural public records, to listen and manually transcribe or duplicate, or make notes, abstracts, or other memoranda from them.
- (3) In the case of public records available:
 - (A) by enhanced access under section 3.5 of this chapter; or
 - (B) to a governmental entity under section 3(c)(2) of this chapter;

to examine and copy the public records by use of an electronic device.

- (4) In the case of electronically stored data, to manually transcribe and make notes, abstracts, or memoranda or to duplicate the data onto a disk, tape, drum, or any other medium of electronic storage.

"Investigatory record" means information compiled in the course of the investigation of a crime.

"Patient" has the meaning set out in IC 16-18-2-272(d).

"Person" means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity.

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"Provider" has the meaning set out in IC 16-18-2-295(a) and includes employees of the state department of health or local boards of health who create patient records at the request of another provider or who are social workers and create records concerning the family background of children who may need assistance.

"Public agency" means the following:

- (1) Any board, commission, department, division, bureau, committee, agency, office, instrumentality, or authority, by whatever name designated, exercising any part of the executive, administrative, judicial, or legislative power of the state.
- (2) Any:
 - (A) county, township, school corporation, city, or town, or any board, commission, department, division, bureau, committee, office, instrumentality, or authority of any county, township, school corporation, city, or town;
 - (B) political subdivision (as defined by IC 36-1-2-13); or
 - (C) other entity, or any office thereof, by whatever name designated, exercising in a limited geographical area the executive, administrative, judicial, or legislative power of the state or a delegated local governmental power.
- (3) Any entity or office that is subject to:
 - (A) budget review by either the state board of tax commissioners or the governing body of a county, city, town, township, or school corporation; or
 - (B) an audit by the state board of accounts.
- (4) Any building corporation of a political subdivision that issues bonds for the purpose of constructing public facilities.
- (5) Any advisory commission, committee, or body created by statute, ordinance, or executive order to advise the governing body of a public agency, except medical staffs or the committees of any such staff.
- (6) Any law enforcement agency, which means an agency or a department of any level of government that engages in the investigation, apprehension, arrest, or prosecution of alleged criminal offenders, such as the state police department, the police or sheriff's department of a political subdivision, prosecuting attorneys, members of the excise police division of the alcoholic beverage commission, conservation officers of the department of natural resources, and the security division of the state lottery commission.
- (7) ~~Any license branch staffed by employees of the bureau of motor vehicles commission under IC 9-16.~~

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~~(8)~~ (7) The state lottery commission, including any department, division, or office of the commission.

~~(9)~~ (8) The Indiana gaming commission established under IC 4-33, including any department, division, or office of the commission.

~~(10)~~ (9) The Indiana horse racing commission established by IC 4-31, including any department, division, or office of the commission.

"Public record" means any writing, paper, report, study, map, photograph, book, card, tape recording, or other material that is created, received, retained, maintained, used, or filed by or with a public agency and which is generated on paper, paper substitutes, photographic media, chemically based media, magnetic or machine readable media, electronically stored data, or any other material, regardless of form or characteristics.

"Standard-sized documents" includes all documents that can be mechanically reproduced (without mechanical reduction) on paper sized eight and one-half (8 1/2) inches by eleven (11) inches or eight and one-half (8 1/2) inches by fourteen (14) inches.

"Trade secret" has the meaning set forth in IC 24-2-3-2.

"Work product of an attorney" means information compiled by an attorney in reasonable anticipation of litigation and includes the attorney's:

- (1) notes and statements taken during interviews of prospective witnesses; and
- (2) legal research or records, correspondence, reports, or memoranda to the extent that each contains the attorney's opinions, theories, or conclusions.

This definition does not restrict the application of any exception under section 4 of this chapter.

SECTION 7. IC 6-1.1-10-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. Except as otherwise provided by law, the property owned by this state ~~or a state agency or the bureau of motor vehicles commission~~ is exempt from property taxation.

SECTION 8. IC 6-1.1-11-4, AS AMENDED BY P.L.14-2000, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the United States, the state, an agency of this state, or a political subdivision (as defined in IC 36-1-2-13). However, this subsection applies only when the property is used, and in the case of

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real property occupied, by the owner.

(b) The exemption application referred to in section 3 of this chapter is not required if the exempt property is a cemetery:

- (1) described by IC 6-1.1-2-7; or
- (2) maintained by a township executive under IC 23-14-68.

~~(c) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the bureau of motor vehicles commission established under IC 9-15-1.~~

~~(d)~~ (c) The exemption application referred to in section 3 of this chapter is not required if:

- (1) the exempt property is:
 - (A) tangible property used for religious purposes described in IC 6-1.1-10-21; or
 - (B) tangible property owned by a church or religious society used for educational purposes described in IC 6-1.1-10-16; and
- (2) the exemption application referred to in section 3 of this chapter was filed properly at least once after the property was designated for a religious use as described in IC 6-1.1-10-21 or an educational use as described in IC 6-1.1-10-16.

However, if title to any of the real property subject to the exemption changes or any of the tangible property subject to the exemption is used for a nonexempt purpose after the date of the last properly filed exemption application, this subsection does not apply.

SECTION 9. IC 6-6-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 7. (a) In respect to a vehicle that has been acquired, or brought into the state, or for any other reason becomes subject to registration after the regular annual registration date in the year on or before which the owner of the vehicle is required, under the motor vehicle registration laws of Indiana, to register vehicles, the tax imposed by this chapter shall become due and payable at the time the vehicle is acquired, brought into the state, or otherwise becomes subject to registration and the amount of tax to be paid by the owner for the remainder of the year shall be reduced by ten percent (10%) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the motor vehicle registration laws for annual registration by the owner. The tax shall be paid at the time of the registration of the vehicle.

(b) In the case of a vehicle that is acquired, or brought into the state, or for any other reason becomes subject to registration after January 1 of any year, then the owner may pay the applicable registration fee on the vehicle as provided in the motor vehicle registration laws and any excise tax due on the vehicle for the remainder of the annual

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registration year and simultaneously register the vehicle and pay the applicable registration fee and the excise tax due for the next succeeding annual registration year.

(c) Except as provided in subsection (f), no reduction in the applicable annual excise tax will be allowed to an Indiana resident applicant upon registration of any vehicle that was owned by the applicant on or prior to the registrant's annual registration period. A vehicle owned by an Indiana resident applicant that was located in and registered for use in another state during the same calendar year shall be entitled to the same reduction when registered in Indiana.

(d) The owner of a vehicle who sells the vehicle in a year in which the owner has paid the tax imposed by this chapter, shall receive a credit equal to the remainder of:

- (1) the tax paid for the vehicle; reduced by
- (2) ten percent (10%) for each full or partial calendar month that has elapsed in the registrant's annual registration year before the date of the sale.

The credit shall be applied to the tax due on any other vehicle purchased or subsequently registered by the owner in the same registrant's annual registration year. If the credit is not fully used and the amount of the credit remaining is at least four dollars (\$4), the owner is entitled to a refund in the amount of the unused credit. The owner must pay a fee of three dollars (\$3) to the bureau to cover costs of providing the refund, which may be deducted from the refund. The bureau shall issue the refund. ~~The bureau shall transfer to the bureau of motor vehicles commission three dollars (\$3) of the fee to cover the commission's costs in processing the refund.~~ To claim the credit and refund provided by this subsection, the owner of the vehicle must present to the bureau proof of sale of the vehicle.

(e) Subject to the requirements of subsection (g), the owner of a vehicle that is destroyed in a year in which the owner has paid the tax imposed by this chapter, which vehicle is not replaced by a replacement vehicle for which a credit is issued under this section, shall receive a refund in an amount equal to ten percent (10%) of the tax paid for each full calendar month remaining in the registrant's annual registration year after the date of destruction, but only upon presentation or return to the bureau of the following:

- (1) A request for refund on a form furnished by the bureau.
- (2) A statement of proof of destruction on an affidavit furnished by the bureau.
- (3) The license plate from the vehicle.
- (4) The registration from the vehicle.



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However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed vehicle. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be paid out of the special account created for settlement of the excise tax collections under IC 6-6-5-10. For purposes of this subsection, a vehicle is considered destroyed if the cost of repair of damages suffered by the vehicle exceeds the vehicle's fair market value.

(f) If the name of the owner of a vehicle is legally changed and the change has caused a change in the owner's annual registration date, the excise tax liability of the owner shall be adjusted as follows:

(1) If the name change requires the owner to register sooner than the owner would have been required to register if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

(A) ten percent (10%) of the owner's last preceding annual excise tax liability; and

(B) the number of full calendar months between the owner's new regular annual registration month and the next succeeding regular annual registration month that is based on the owner's former name.

(2) If the name change required the owner to register later than the owner would have been required to register if there had been no name change, the vehicle shall be subject to excise tax for the period between the month in which the owner would have been required to register if there had been no name change and the new regular annual registration month in the amount of the product of:

(A) ten percent (10%) of the owner's excise tax liability computed as of the time the owner would have been required to register if there had been no name change; and

(B) the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new regular annual registration month.

(g) In order to claim a credit under subsection (e) for a vehicle that is destroyed, the owner of the vehicle must present to the bureau of motor vehicles a valid registration for the vehicle within ninety (90) days of the date that it was destroyed. The bureau shall then fix the amount of the credit that the owner is entitled to receive."

Page 1, between lines 9 and 10, begin a new paragraph and insert:
"SECTION 11. IC 9-13-2-154 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 154. "Restricted license" means any current driving license, on which the ~~commission~~ **bureau** has designated restrictions.

SECTION 12. IC 9-14-1-4, AS AMENDED BY P.L.181-1999, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. **(a)** The commissioner shall appoint and fix, subject to the approval of the governor, the salaries of the deputies, subordinate officers, clerks, **license branch managers, license branch employees**, and other employees necessary to carry out this title, IC 6-6-5, IC 6-6-5.5, and IC 6-6-11.

(b) Subject to the approval of the governor, the commissioner shall manage license branches and all equipment and funds necessary to carry out this title.

SECTION 13. IC 9-14-2-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 0.5. **The bureau shall do the following:**

- (1) Develop and continuously update the bureau's policies.**
- (2) Recommend to the governor legislation that is needed to implement the bureau's policies.**
- (3) Review, revise, adopt, and submit to the budget agency budget proposals for the bureau and the license branches operated under IC 9-16.**
- (4) Establish the determination criteria and determine the number and location of license branches to be operated under IC 9-16. However, there must be at least one (1) full service license branch in each county.**
- (5) Establish and adopt minimum standards for the operation and maintenance of each full service license branch operated under IC 9-16.**
- (6) Administer the state license branch fund established under IC 9-29-14.**

SECTION 14. IC 9-14-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. The commissioner shall do the following:

- (1) Administer and enforce this title and other statutes concerning the bureau.**
- (2) Administer and enforce the policies and procedures of the ~~commission~~.**
- (3) (2) Organize the bureau in the manner necessary to carry out the duties of the bureau.**
- (4) Submit to the ~~commission~~, before September 1 of each year, budget proposals for the bureau, including license branches**



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staffed by employees of the commission under IC 9-16.

(5) Perform other duties assigned by the commission.

(3) Administer the state license branch fund established by IC 9-29-14-1 and all license branches in Indiana under this article.

(4) Administer the collection and deposit of service charges by license branches prescribed by IC 9-29-3.

(5) Contract with a qualified person for the operation of a full service license branch when it appears to be in the best interests of the state.

SECTION 15. IC 9-14-2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: **Sec. 3.5. The bureau may contract for the operation of full service license branches under IC 9-16-1-4 and partial services under IC 9-16-1-4.5.**

SECTION 16. IC 9-14-3-5, AS AMENDED BY P.L.225-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) Except as provided in subsection (b), (c), or (d), the bureau shall prepare and deliver information on titles, registrations, and licenses and permits upon the request of any person. All requests must be submitted in writing to the bureau and, unless exempted under IC 9-29, must be accompanied by the payment of the fee prescribed in IC 9-29-2-2.

(b) The bureau may not disclose the:

- (1) Social Security number;
- (2) federal identification number;
- (3) driver's license number; or
- (4) digital image of the driver's license applicant;

of any person except to a law enforcement officer or an agent or a designee of the department of state revenue.

(c) As provided under 42 U.S.C. 1973gg-3(b), the ~~commission~~ **bureau** may not disclose any information concerning the failure of an applicant for a motor vehicle driver's license to sign a voter registration application, except as authorized under IC 3-7-14.

(d) The ~~commission~~ **bureau** may not disclose any information concerning the failure of an applicant for a title, registration, license, or permit (other than a motor vehicle license described under subsection (c)) to sign a voter registration application, except as authorized under IC 3-7-14.

SECTION 17. IC 9-14-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 6. (a) Upon the submission to the bureau of a specific written request from an

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individual or organization for a compilation of specific information requested for the purposes described in subsection (c), the bureau may contract with the individual or organization to compile the requested information from the records of the bureau.

(b) The bureau may charge an amount agreeable to the parties, as described in IC 9-29-2-3.

(c) An individual or organization making a request under this section must certify one (1) of the following:

(1) That the information is required for the purposes of notifying vehicle owners of vehicle defects and recall for modifications, and that the individual or organization will use the information provided only for that purpose.

(2) That the information will be used only for research or statistical reporting purposes and that individual identities will be properly protected in the preparation of the research or reports and not ascertainable from the published reports or research results.

(3) That the information will be used for the purpose of documenting the sale of motor vehicles in Indiana.

(4) That the information will be used for purposes of the federal Selective Service System.

(5) That the information will be used solely for law enforcement purposes by police officers.

(d) The ~~commission~~ bureau may not compile or release information concerning voter registration under this section.

(e) The bureau shall provide the requested information under this section in a format that is agreeable to the parties, including the following formats:

(1) Printed records.

(2) Microfiche.

(3) Computer disk.

SECTION 18. IC 9-14-3.5-7, AS AMENDED BY P.L.39-2000, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 7. (a) Except as provided in sections 8, 10, and 11 of this chapter:

(1) an officer or employee of the bureau;

~~(2) an officer or employee of the bureau of motor vehicles commission; or~~

~~(3) (2) a contractor of the bureau or the bureau of motor vehicles commission (or an officer or employee of the contractor);~~

may not knowingly disclose personal information about a person obtained by the bureau in connection with a motor vehicle record.

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(b) A person's Social Security number shall not be in any way disclosed on a motor vehicle registration.

SECTION 19. IC 9-16-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. As used in this chapter, "qualified person" means any of the following:

- (1) A motor club that is any of the following:
 - (A) A domestic corporation.
 - (B) A foreign corporation qualified to transact business in Indiana under IC 23-1 or IC 23-17.
- (2) A financial institution (as defined in IC 28-1-1-3).
- (3) A new motor vehicle dealer licensed under IC 9-23-2.
- (4) Other persons, including persons licensed under IC 9-23-2 that are not covered by subdivision (3), that the ~~commission~~ **bureau** determines can ~~meet the standards adopted by the commission under IC 9-15-2-1(7) and the requirements for partial service contractors under section 4.5 of this chapter.~~ **perform the duties set forth in IC 9-14.**

SECTION 20. IC 9-16-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. The ~~commission~~ **commissioner** shall operate or be responsible for the administration of all license branches in Indiana under this article.

SECTION 21. IC 9-16-1-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 2.5. A license branch that is in existence on January 1, 2001, may not be closed before January 1, 2006, although the location may be moved to another location within the same county.**

SECTION 22. IC 9-16-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3. (a) License branches have all the powers and duties assigned to license branches by statute and by the commissioner.

(b) The commissioner shall assign to license branches those functions that:

- (1) the ~~commission or the~~ bureau is legally required or authorized to perform; and
- (2) cannot be adequately performed by the ~~commission or the~~ bureau without assistance from the license branches.

SECTION 23. IC 9-16-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The ~~commission~~ **bureau** may contract with a qualified person for:

- (1) the operation of a full service license branch under this section; or
- (2) providing partial services **through electronic means** under



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section 4.5 of this chapter.

(b) A contract for the operation of a full service license branch must include the following provisions:

(1) The contractor shall provide a full service license branch, including the following services:

- (A) Vehicle titles.
- (B) Vehicle registration.
- (C) Driver's licenses.
- (D) Voter registration as provided in IC 3-7.

(2) The contractor shall provide trained personnel to properly process branch transactions.

(3) The contractor shall do the following:

- (A) Collect and transmit all bureau fees and taxes collected at the license branch.
- (B) Deposit the taxes collected at the license branch with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.

(4) The contractor shall generate a transaction volume sufficient to justify the installation of bureau support systems.

(5) The contractor shall provide fidelity bond coverage in an amount prescribed by the ~~commission~~ **bureau**.

(6) The contractor may operate the license branch within a facility used for other purposes.

(7) The contractor shall pay the cost of any post audits conducted by the ~~commission~~ **bureau** or the state board of accounts on an actual cost basis.

~~(8) The commission shall provide support systems and driver's license examiners on the same basis as state operated branches.~~

~~(9) The commission shall provide the same equipment to contractors as is provided to state operated branches.~~

~~(10)~~ **(8)** The ~~commission~~ **bureau** must approve each location and physical facility based upon criteria developed by the ~~commission~~ **bureau**.

~~(11)~~ **(9)** The term of the contract must be for a fixed period.

~~(12)~~ **(10)** The contractor shall agree to provide voter registration services and to perform the same duties imposed on the ~~commission~~ **bureau** under IC 3-7.

SECTION 24. IC 9-16-1-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4.5. (a) The ~~commission~~ **bureau** may contract with a qualified person to provide partial services at a ~~qualified person's walk-up location, including locations within a facility used for other purposes, such as electronic~~

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titling and title application services and self-serve terminal access through electronic means.

(b) A contract for providing ~~motor vehicle registration and renewal services at a walk-up location~~ **partial services through electronic means** must include the following provisions:

(1) ~~The contractor must provide trained personnel to properly process motor vehicle registration and renewal transactions.~~

(2) (1) The contractor shall do the following:

(A) Collect and transmit all bureau fees and taxes collected at the contract location.

(B) Deposit the taxes collected at the contract location with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.

(3) (2) The contractor shall provide fidelity bond coverage in an amount prescribed by the ~~commission~~ **bureau**.

(4) (3) The contractor shall pay the cost of any post audits conducted by the ~~commission bureau~~ or the state board of accounts on an actual cost basis.

(5) (4) The ~~commission bureau~~ must approve each location and physical facility used by a contractor.

(6) (5) The term of the contract must be for a fixed period.

SECTION 25. IC 9-16-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. The ~~commission bureau~~ shall offer voter registration services under this chapter, in addition to providing a voter registration application as a part of an application for a motor vehicle driver's license, permit, or identification card under IC 9-24-2.5 and 42 U.S.C. 1973gg-3.

SECTION 26. IC 9-16-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. The registration forms provided under section 3 of this chapter must be:

(1) prescribed by the Indiana election commission to permit the NVRA official to fulfill the NVRA official's reporting duties under 42 U.S.C. 1973gg-7(a)(3) and IC 3-7-11-2; and

(2) placed in an easily accessible location within the branch, so that members of the public may obtain the forms without further assistance from **employees of the** ~~commission bureau~~.

SECTION 27. IC 9-18-2-1, AS AMENDED BY P.L.181-1999, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. (a) Within sixty (60) days of becoming an Indiana resident, a person must register all motor vehicles owned by the person that:

(1) are subject to the motor vehicle excise tax under IC 6-6-5; and



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(2) will be operated in Indiana.

(b) Within sixty (60) days after becoming an Indiana resident, a person must register all commercial vehicles owned by the person that:

(1) are subject to the commercial vehicle excise tax under IC 6-6-5.5;

(2) are not subject to proportional registration under the International Registration Plan; and

(3) will be operated in Indiana.

(c) A person must produce evidence concerning the date on which the person became an Indiana resident.

(d) Except as provided in subsection (e), an Indiana resident must register all motor vehicles operated in Indiana.

(e) An Indiana resident who has a legal residence in a state that is not contiguous to Indiana may operate a motor vehicle in Indiana for not more than sixty (60) days without registering the motor vehicle in Indiana.

(f) An Indiana resident who has registered a motor vehicle in Indiana in any previous registration year is not required to register the motor vehicle, is not required to pay motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5 on the motor vehicle, and is exempt from property tax on the motor vehicle for any registration year in which:

(1) the Indiana resident is:

(A) an active member of the armed forces of the United States; and

(B) assigned to a duty station outside Indiana; and

(2) the motor vehicle is not operated inside or outside Indiana.

This subsection may not be construed as granting the bureau authority to require the registration of any vehicle that is not operated in Indiana.

(g) When an Indiana resident registers a motor vehicle in Indiana after the period of exemption described in subsection (f), the Indiana resident may submit an affidavit that:

(1) states facts demonstrating that the motor vehicle is a motor vehicle described in subsection (e); and

(2) is signed by the owner of the motor vehicle under penalties of perjury;

as sufficient proof that the owner of the motor vehicle is not required to register the motor vehicle during a registration year described in subsection (f). The ~~commission or~~ bureau may not require the Indiana resident to pay any civil penalty or any reinstatement or other fee that is not also charged to other motor vehicles being registered in the same registration year."

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Page 4, after line 2, begin a new paragraph and insert:

"SECTION 29. IC 9-18-2-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 13. Except as provided in sections 14 and 15 of this chapter, a person who:

- (1) has leased; or
- (2) is the owner of;

a vehicle that is required to be registered under this chapter ~~shall at a license branch in the county in which the person is a resident; apply for and obtain the registration of the vehicle; if the application is made in person over the counter at a full service branch. Otherwise, the person may apply for and obtain the registration in any county. After June 30, 1997, the bureau may establish a pilot project that permits cross county registration renewal in person over the counter at a full service branch if a metal plate is not required.~~

SECTION 30. IC 9-18-2-15, AS AMENDED BY P.L.181-1999, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 15. (a) Except as provided in subsection (b), a person who:

- (1) owns a vehicle that is subject to the motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5;
- (2) is leasing the vehicle to another person; ~~who resides in a different county;~~ and
- (3) has agreed to register the vehicle as a condition of the lease; ~~shall register the vehicle in the county of residence of the person who is leasing the vehicle; if the application is made in person over the counter at a full service branch. Otherwise, the person may apply for and obtain the registration in any county.~~

(b) If a vehicle is being registered subject to the International Registration Plan, the vehicle shall be registered at the department of state revenue under rules adopted under IC 4-22-2.

(c) A vehicle that is being leased and is not subject to the motor vehicle excise tax under IC 6-6-5 may be registered in ~~the any~~ county. ~~of residence of the person who:~~

- ~~(1) owns;~~
 - ~~(2) is the lessor of; or~~
 - ~~(3) is the lessee of;~~
- ~~the vehicle.~~

SECTION 31. IC 9-18-2-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 25. (a) If the bureau is not able to comply with the provisions of this title relating to the furnishing of license plates ~~or chauffeur's badges~~ because of a:

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- (1) ~~metal materials~~ shortage; or
- (2) regulation of a board or an agency of the United States government;

the bureau may adopt rules under IC 4-22-2 to provide the type and number of license plates ~~and chauffeur's badges~~ that will be furnished and displayed and the manner in which the plates ~~and badges~~ must be displayed.

(b) Compliance with a rule adopted under this section satisfies the provisions of this chapter relating to the display of license plates. ~~or chauffeur's badges.~~

SECTION 32. IC 9-18-26-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 15. In addition to the civil penalty imposed under section 14 of this chapter, the bureau may restrict, suspend, or revoke a dealer ~~metal permanent~~ or interim license plate that was issued to the violator.

SECTION 33. IC 9-18-27-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. In addition to the civil penalty imposed under section 10 of this chapter, the bureau may revoke a dealer ~~metal permanent~~ or interim license plate that was issued to the violator.

SECTION 34. IC 9-18-29-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The fee for an environmental license plate is as follows:

- (1) The appropriate fee under IC 9-29-5-38.
- (2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau. ~~of motor vehicles commission.~~

SECTION 35. IC 9-18-30-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The fee for a children's trust license plate is as follows:

- (1) The appropriate fee under IC 9-29-5-38.
- (2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau. ~~of motor vehicles commission.~~

SECTION 36. IC 9-23-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. A person who ceases a business activity for which a license was issued under this chapter shall do the following:

- (1) Notify the bureau of the date that the business activity will cease.
- (2) Deliver all ~~metal permanent~~ dealer license plates and interim license plates issued to the person to the bureau within ten (10)

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days of the date the business activity will cease.

SECTION 37. IC 9-23-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. In addition to the penalty imposed under section 4 of this chapter, the bureau may revoke a dealer ~~metal~~ **permanent** or interim license plate that was issued to the violator.

SECTION 38. IC 9-24-2.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. This chapter prescribes the procedures to be followed by the ~~commission~~ **bureau** in processing voter registration applications under 42 U.S.C. 1973gg-3 and IC 3-7-14.

SECTION 39. IC 9-24-2.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. The manager of each license branch may designate an employee of the license branch as the individual responsible for performing the voter registration duties of the ~~commission~~ **bureau** under this chapter at that license branch. The employee designated under this section shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license branch under this chapter. Notwithstanding this designation, any employee of the license branch may perform registration duties in accordance with this chapter.

SECTION 40. IC 9-24-2.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3. If the manager does not designate an employee under section 2 of this chapter, the manager is the individual responsible for performing the voter registration duties of the ~~commission~~ **bureau** under this chapter at that license branch. The manager shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license branch under this chapter. Notwithstanding the designation of the manager under this section, any employee of the license branch may perform registration duties in accordance with this chapter.

SECTION 41. IC 9-24-2.5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 8. (a) The co-directors of the election division shall provide the ~~commission~~ **bureau** with a list of the current addresses and telephone numbers of the offices of the circuit court clerk or board of registration in each county. The ~~commission~~ **bureau** shall promptly forward the list and each revision of the list to each license branch.

(b) The co-directors of the election division shall provide the ~~commission~~ **bureau** with pre-addressed packets for the ~~commission~~

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bureau to transmit applications under section 6(1) or 6(2) of this chapter.

SECTION 42. IC 9-24-2.5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 10. The co-directors of the election division shall notify the ~~commission~~ **bureau** of the following:

- (1) The scheduled date of each primary, general, municipal, and special election.
- (2) The jurisdiction in which the election will be held.
- (3) The date when registration ceases under IC 3-7-13-10 before each primary, general, municipal, and special election.

SECTION 43. IC 9-24-2.5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. The ~~commission~~ **bureau** shall provide the co-directors of the election division with a list stating the following:

- (1) The address and telephone number of each license branch.
- (2) The name of the manager of the license branch and any employee designated by the manager to be responsible for performing voter registration duties under this chapter.

SECTION 44. IC 9-24-9-2, AS AMENDED BY P.L.39-2000, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. Each application for a license or permit under this chapter must require the following information:

- (1) The name, ~~age~~, **date of birth**, sex, and mailing address and, if different from the mailing address, the residence address of the applicant. The applicant shall indicate to the bureau which address the license or permit shall contain.
- (2) Whether the applicant has been licensed as an operator, a chauffeur, or a public passenger chauffeur or has been the holder of a learner's permit, and if so, when and by what state.
- (3) Whether the applicant's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.
- (4) Whether the applicant has been convicted of a crime punishable as a felony under Indiana motor vehicle law or any other felony in the commission of which a motor vehicle was used.
- (5) Whether the applicant has a physical or mental disability, and if so, the nature of the disability and other information the bureau directs.

The bureau shall maintain records of the information provided under subdivisions (1) through (5).



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SECTION 45. IC 9-24-11-5, AS AMENDED BY P.L.39-2000, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) A permit or license issued under this chapter must bear the distinguishing number assigned to the permittee or licensee and must contain:

- (1) the name;
- (2) the ~~age~~; **date of birth**;
- (3) the mailing address or residence address;
- (4) a brief description; and
- (5) except as provided in subsection (c), **for the purpose of identification**, a:
 - (A) photograph; **or**
 - (B) **computerized image**;

of the permittee or licensee, ~~for the purpose of identification~~; and additional information that the bureau considers necessary, including a space for the signature of the permittee or licensee.

(b) In carrying out this section, the bureau shall obtain the equipment necessary to provide the photographs **and computerized images** for permits and licenses as provided in subsection (a).

(c) The following permits or licenses do not require a photograph **or computerized image**:

- ~~(1) Learner's permit issued under IC 9-24-7.~~
- ~~(2)~~ **(1)** Temporary motorcycle learner's permit issued under IC 9-24-8.
- ~~(3)~~ **(2)** Motorcycle learner's permit issued under IC 9-24-8.
- ~~(4)~~ **(3)** Operator's license reissued under IC 9-24-12-6.

(d) The bureau may provide for the omission of a photograph **or computerized image** from any other license or permit if there is good cause for the omission.

SECTION 46. IC 9-24-12-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. The application for renewal of:

- (1)** an operator's;
- (2)** a motorcycle operator's;
- (3)** a chauffeur's; ~~and~~
- (4)** a public passenger chauffeur's license; **or**
- (5) an identification card**;

under this article may be filed not more than six (6) months before the expiration date of the license **or identification card** held by the applicant.

SECTION 47. IC 9-24-12-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. **(a)** An

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individual who applies for renewal of an operator's, **motorcycle operator's, chauffeur's, or public passenger chauffeur's** license in person at a license branch must do the following:

- (1) Pass an eyesight examination.
- (2) Pass a written examination if:
 - (A) the applicant has at least six (6) active points on the applicant's driving record maintained by the bureau; or
 - (B) the applicant holds a valid operator's license but has not reached the applicant's twenty-first birthday.

(b) An individual may apply for renewal of an operator's, a motorcycle operator's, a chauffeur's, or a public passenger chauffeur's license by mail or by electronic service if the following conditions are met:

- (1) A valid computerized image of the individual exists within the records of the bureau.**
- (2) The previous renewal of the operator's, motorcycle operator's, chauffeur's, or public passenger chauffeur's license was not made by mail or by electronic service.**
- (3) The previous renewal included a test approved by the bureau of the applicant's eyesight.**
- (4) The applicant, if applying for the renewal in person at a license branch, would not be required under subsection (a)(2) to submit to a written examination.**

(c) An individual applying for the renewal of an operator's, a motorcycle operator's, a chauffeur's, or a public passenger chauffeur's license must apply in person at a license branch under subsection (a) if the individual is not entitled to apply by mail or by electronic service under subsection (b).

SECTION 48. IC 9-24-16-3, AS AMENDED BY P.L.39-2000, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3. (a) An identification card must have the same dimensions and shape as a driver's license, but the card must have markings sufficient to distinguish the card from a driver's license.

(b) The front side of an identification card must contain the following information about the individual to whom the card is being issued:

- (1) Full legal name.
- (2) Mailing address and, if different from the mailing address, the residence address.
- (3) ~~Birth~~ **Date of birth.**
- (4) Date of issue and date of expiration.
- (5) Distinctive identification number or Social Security account



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number, whichever is requested by the individual.

(6) Sex.

(7) Weight.

(8) Height.

(9) Color of eyes and hair.

(10) Signature of the individual identified.

(11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).

(12) Photograph or computerized image.

SECTION 49. IC 9-24-16-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) An application for renewal of an identification card ~~must~~ **may** be made ~~not more than six (6) months~~ before the expiration date of the card. A renewal application received after the date of expiration is considered to be a new application.

(b) A renewed card becomes valid on the birth date of the holder and remains valid for four (4) years.

(c) If renewal has not been made within six (6) months after expiration, the bureau shall destroy all records pertaining to the former cardholder.

(d) Renewal may not be granted if the cardholder was issued a driver's license subsequent to the last issuance of an identification card.

(e) An individual may apply for renewal of an identification card by mail or by electronic service if the following conditions are met:

(1) A valid computerized image of the individual exists within the records of the bureau.

(2) The previous renewal of the identification card was not made by mail or by electronic service.

SECTION 50. IC 9-29-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. (a) Money from the increases in fees levied by the 1969 regular session of the general assembly in IC 9-18-2, IC 9-18-5, IC 9-18-6, IC 9-18-7, IC 9-18-9, IC 9-18-10, IC 9-18-16, IC 9-24-3, IC 9-24-4, IC 9-24-5, IC 9-24-7, IC 9-24-8, IC 9-24-10, IC 9-24-11, IC 9-24-12, IC 9-24-13, IC 9-24-14, and IC 9-29-9-15 (IC 9-1-4 before its repeal on July 1, 1991) shall be deposited daily with the treasurer of state and credited to the highway, road, and street fund established under IC 8-14-2-2.1.

(b) For the purpose of providing adequate and sufficient funds for the crossroads 2000 fund established under IC 8-14-10-9, and subject to subsection (c), after June 30, 1997, with the approval of the bureau of motor vehicles commission the bureau of motor vehicles may adopt

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rules under IC 4-22-2 to increase, by an amount that is in addition to the fees specified by statute, the fees under the following:

~~IC 9-29-4-3~~
~~IC 9-29-5~~
~~IC 9-29-9-1~~
~~IC 9-29-9-2~~
~~IC 9-29-9-3~~
~~IC 9-29-9-4~~
~~IC 9-29-9-5~~
~~IC 9-29-9-6~~
~~IC 9-29-9-7~~
~~IC 9-29-9-8~~
~~IC 9-29-9-9~~
~~IC 9-29-9-10~~
~~IC 9-29-9-11~~
~~IC 9-29-9-13~~
~~IC 9-29-9-14~~
~~IC 9-29-15-1~~
~~IC 9-29-15-2~~
~~IC 9-29-15-3~~
~~IC 9-29-15-4~~

The amount of fees increased under this section shall first be deposited into the crossroads 2000 fund established under IC 8-14-10-9.

(c) (b) For the purpose of providing adequate and sufficient funds for the crossroads 2000 fund established by IC 8-14-10-9, and subject to subsection (c), the bureau of motor vehicles may adopt rules under IC 4-22-2 to increase, by an amount that is in addition to the fees specified by statute, the fees under the following:

IC 9-29-4-3
 IC 9-29-5
 IC 9-29-9-1
 IC 9-29-9-2
 IC 9-29-9-3
 IC 9-29-9-4
 IC 9-29-9-5
 IC 9-29-9-6
 IC 9-29-9-7
 IC 9-29-9-8
 IC 9-29-9-9
 IC 9-29-9-10
 IC 9-29-9-11



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IC 9-29-9-13

IC 9-29-9-14

IC 9-29-15-1

IC 9-29-15-2

IC 9-29-15-3

IC 9-29-15-4

The amount of fees increased under this section shall first be deposited into the crossroads 2000 fund established by IC 8-14-10-9.

(c) The bureau's authority to adopt rules under subsection (b) is subject to the condition that a fee increase must be uniform through out all license branches and at all partial service locations in Indiana.

SECTION 51. IC 9-29-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The service charge for each of the first twelve thousand (12,000) vehicle registrations at a license branch each year is ~~one dollar~~ **two dollars** and twenty-five cents (~~\$1.25~~): **(\$2.25)**.

(b) The service charge for each of the next thirty-eight thousand (38,000) vehicle registrations at that license branch each year is ~~one dollar~~ (~~\$1~~): **two dollars (\$2)**.

(c) The service charge for each additional vehicle registration at that license branch each year is **one dollar and** seventy-five cents (~~\$0.75~~): **(\$1.75)**.

(d) One dollar (\$1) of each service charge collected under this section shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 52. IC 9-29-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 6. (a) The service charge for each delinquent title is ~~two~~ **three** dollars (~~\$2~~): **(\$3)**.

(b) One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 53. IC 9-29-3-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 7. (a) The service charge for each transfer of title is ~~one dollar~~ (~~\$1~~): **two dollars (\$2)**.

(b) One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 54. IC 9-29-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 8. (a) The service charge for each of the first two thousand (2,000) operator's licenses, including motorcycle operator's licenses, issued at a license branch

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each year is ~~one dollar~~ **two dollars** and fifty cents (~~\$1.50~~): **(\$2.50)**.

(b) The service charge for each additional operator's license or motorcycle operator's license issued at that license branch each year is ~~one dollar (\$1)~~: **two dollars (\$2)**.

(c) One dollar (\$1) of each service charge collected under this section shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 55. IC 9-29-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 9. **(a)** The service charge for each learner's permit, chauffeur's license, or public passenger chauffeur's license is ~~one dollar two dollars~~ and fifty cents (~~\$1.50~~): **(\$2.50)**.

(b) One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 56. IC 9-29-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 10. **(a)** The service charge for each temporary motorcycle learner's permit, motorcycle learner's permit, or motorcycle endorsement of an operator's license is ~~one dollar (\$1)~~: **two dollars (\$2)**.

(b) One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 57. IC 9-29-3-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. **(a)** The service charge for each motorcycle operator endorsement of a chauffeur's license or a public passenger chauffeur's license is ~~one dollar and fifty cents (\$0.50)~~: **(\$1.50)**.

(b) One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 58. IC 9-29-3-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 12. **(a)** The service charge for each replacement license or permit is ~~one dollar (\$1)~~: **two dollars (\$2)**.

(b) One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 59. IC 9-29-3-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 13. The service charge for each license that is required to bear a photograph **or computerized image** is fifty cents (\$0.50).

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SECTION 60. IC 9-29-3-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 14. **(a)** The service charge for an identification card issued under IC 9-24 is **one dollar (\$1) and one-half (1/2) of each fee collected as set forth in IC 9-29-9-15.**

(b) One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 61. IC 9-29-3-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 18. **(a)** The service charge for each duplicate registration card issued under IC 9-18 is **one dollar (\$1): two dollars (\$2).**

(b) One dollar (\$1) of each service charge collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 62. IC 9-29-3-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 19. (a) Subject to subsection (b), ~~and with the approval of the commission,~~ the bureau may adopt rules under IC 4-22-2 to do the following:

- (1) Increase or decrease any of the service charges listed in sections 1 through 18 of this chapter.
- (2) Impose a service charge on any other license branch service that is not listed in sections 1 through 18 of this chapter.
- (3) Increase or decrease a service charge imposed under subdivision (2).

(b) The bureau's authority to adopt rules under subsection (a) is subject to the condition that a service charge must be uniform throughout all license branches and at all partial service locations in Indiana.

SECTION 63. IC 9-29-3-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 21. (a) The service charges listed in sections 1 through 15 of this chapter shall be withheld from the statutory fees for the services provided and may not be added to those fees.

(b) The service charges listed in sections 16, 17, and 18 of this chapter are in addition to the statutory fees for the services provided and may not be withheld from those fees.

(c) The service charges collected as set forth in sections 4(d), 6(b), 7(b), 8(c), 9(b), 10(b), 11(b), 12(b), 14(b), and 18(b) of this chapter, IC 9-29-15-1(c), and IC 9-29-15-4(c) are in addition to the statutory fees for the services collected and may not be withheld from those fees.



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SECTION 64. IC 9-29-14-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. The state license branch fund is established for the purpose of paying the expenses incurred in administering ~~IC 9-16~~ **IC 9-14**. The fund shall be administered by the ~~commission~~ **bureau**.

SECTION 65. IC 9-29-14-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. There is annually appropriated to the ~~commission~~ **bureau** the money in the fund for its use in carrying out the purposes of ~~IC 9-16~~ **IC 9-14** subject to the approval of the budget agency.

SECTION 66. IC 9-29-15-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 1. (a) The fee for a certificate of title or a duplicate certificate of title under IC 9-31-2 is ~~nine ten dollars (\$9)~~ **(\$10)**.

(b) The fee is distributed as follows:

- (1) Seven dollars (\$7) to the department of natural resources.
- (2) ~~Two Three dollars (\$2)~~ **(\$3)** to the bureau.

(c) One dollar (\$1) of each fee distributed under subsection (1)(2) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 67. IC 9-29-15-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) The ~~fee fees~~ to register a motorboat under IC 9-31-3 ~~is are~~ as follows:

- (1) ~~Twelve~~ **Thirteen** dollars ~~(\$12)~~ **(\$13)** for a Class 1 motorboat.
- (2) ~~Fourteen~~ **Fifteen** dollars ~~(\$14)~~ **(\$15)** for a Class 2, Class 3, or Class 4 motorboat.
- (3) ~~Seventeen~~ **Eighteen** dollars ~~(\$17)~~ **(\$18)** for a Class 5 motorboat.
- (4) ~~Twenty-two~~ **Twenty-three** dollars ~~(\$22)~~ **(\$23)** for a Class 6 or Class 7 motorboat.

(b) The department of natural resources receives:

- (1) twelve dollars (\$12) for a Class 1 motorboat;**
- (2) fourteen dollars (\$14) for a Class 2, Class 3, or Class 4 motorboat;**
- (3) seventeen dollars (\$17) for a Class 5 motorboat; and**
- (4) twenty-two dollars (\$22) for a Class 6 or Class 7 motorboat;**

of the fee collected under subsection (a).

(c) One dollar (\$1) of each fee collected under subsection (a) shall be deposited in the state motor vehicle technology fund established by IC 9-29-16-1.

SECTION 68. IC 9-29-16 IS ADDED TO THE INDIANA CODE



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AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]:

Chapter 16. State Motor Vehicle Technology Fund

Sec. 1. The state motor vehicle technology fund is established for the purpose of paying for new technology as it becomes available to carry out the functions of IC 9-14-2. The fund shall be administered by the bureau. This fund is in addition to normal budgetary appropriations.

Sec. 2. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

Sec. 3. Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 4. There is annually appropriated to the bureau the money in the fund to procure as the need arises:

- (1) computer equipment and software;
- (2) telephone equipment and software;
- (3) electronic queue systems;
- (4) other related devices; or
- (5) technology services;

subject to the approval of the budget agency.

Sec. 5. The fund consists of the following:

(1) One dollar (\$1) of each service charge or fee collected by license branches under the following:

- (A) IC 9-29-3-4.
- (B) IC 9-29-3-6.
- (C) IC 9-29-3-7.
- (D) IC 9-29-3-8.
- (E) IC 9-29-3-9.
- (F) IC 9-29-3-10.
- (G) IC 9-29-3-11.
- (H) IC 9-29-3-12.
- (I) IC 9-29-3-14.
- (J) IC 9-29-3-18.
- (K) IC 9-29-15-1.
- (L) IC 9-29-15-4.

(2) Money received from any other source, including appropriations.

SECTION 69. IC 34-13-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. This chapter ~~applies~~ **does not apply** to a claim or suit in tort against ~~any of the~~ following:



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(1) ~~A member of the bureau of motor vehicles commission established under IC9-15-1-1.~~

(2) ~~An employee of the bureau of motor vehicles commission who is employed at a license branch under IC 9-16; except for an employee employed:~~

(1) at a license branch operated under a contract with the bureau under IC 9-16; or

(2) by an employer offering partial services through electronic means under a contract with the commission bureau under IC 9-16.

SECTION 70. IC 36-1-8-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 11. (a) This section does not apply to a county treasurer governed by IC 36-2-10-23.

(b) As used in this section, "credit card" means a:

- (1) credit card;
- (2) debit card;
- (3) charge card; or
- (4) stored value card.

(c) A payment to a political subdivision or a municipally owned utility for any purpose may be made by any of the following financial instruments that the fiscal body of the political subdivision or the board of the municipally owned utility authorizes for use:

- (1) Cash.
- (2) Check.
- (3) Bank draft.
- (4) Money order.
- (5) Bank card or credit card.
- (6) Electronic funds transfer.
- (7) Any other financial instrument authorized by the fiscal body.

(d) If there is a charge to the political subdivision or municipally owned utility for the use of a financial instrument other than a bank card or credit card, the political subdivision or municipally owned utility shall collect a sum equal to the amount of the charge from the person who uses the financial instrument.

(e) If authorized by the fiscal body of the political subdivision or the board of the municipally owned utility, the political subdivision or municipally owned utility may accept payments under this section with a bank card or credit card under the procedures set forth in this section. However, the procedure authorized for a particular type of payment must be uniformly applied to all payments of the same type.

(f) The political subdivision or municipally owned utility may contract with a bank card or credit card vendor for acceptance of bank

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cards or credit cards.

(g) The political subdivision or municipally owned utility may pay any applicable bank card or credit card service charge associated with the use of a bank card or credit card under this subsection.

(h) The authorization of the fiscal body of the political subdivision is not required by the bureau of motor vehicles ~~or the bureau of motor vehicles commission~~ to use electronic funds transfer or other financial instruments to transfer funds to the political subdivision.

SECTION 71. IC 36-2-10-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 23. (a) Notwithstanding any other law, payments to the treasurer for any purpose, including property tax payments, may be made by any of the following financial instruments that the treasurer authorizes for use:

- (1) Cash.
- (2) Check.
- (3) Bank draft.
- (4) Money order.
- (5) Bank card or credit card.
- (6) Electronic funds transfer.
- (7) Any other financial instrument authorized by the treasurer.

(b) If there is a charge to the treasurer for the use of a financial instrument other than a bank card or credit card, the treasurer shall collect a sum equal to the amount of the charge from the person who uses the financial instrument.

(c) A treasurer may contract with a bank card or credit card vendor for acceptance of bank or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the treasurer or charged directly to the treasurer's account, the treasurer shall collect from the person using the card an official fee that may not exceed the highest transaction charge or discount fee charged to the treasurer by bank or credit card vendors during the most recent collection period. This fee may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such a fee. The fee is a permitted additional charge under IC 24-4.5-3-202.

(d) Notwithstanding subsection (a), the authorization of the treasurer is not required for the bureau of motor vehicles ~~or the bureau of motor vehicles commission~~ to use electronic funds transfer or other financial instruments to transfer funds to the county treasurer.

SECTION 72. THE FOLLOWING ARE REPEALED [EFFECTIVE JANUARY 1, 2002]: IC 9-13-2-32; IC 9-13-2-138; IC 9-14-1-6; IC 9-14-2-7; IC 9-14-3-11; IC 9-15; IC 9-16-2-1; IC 9-16-2-2; IC 9-16-2-3; IC 9-16-2-4; IC 9-16-2-5; IC 9-16-3-1; IC 9-16-3-2;



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IC 9-16-3-3; IC 9-16-3-4; IC 9-16-4-1; IC 9-16-4-2; IC 9-24-12-9.

SECTION 73. [EFFECTIVE JANUARY 1, 2002] The rules adopted by the bureau of motor vehicles commission before January 1, 2002, concerning the administration of the personnel policies and practices of the license branches operating under the bureau of motor vehicles commission are considered, after December 31, 2001, rules of the bureau of motor vehicles.

SECTION 74. [EFFECTIVE JANUARY 1, 2002] On January 1, 2002, the bureau of motor vehicles:

(1) becomes the owner of all real and personal property and other assets; and

(2) is responsible for all liabilities and obligations; of the bureau of motor vehicles commission abolished by this act.

SECTION 75. [EFFECTIVE JANUARY 1, 2002] Any fund under the control or supervision of the bureau of motor vehicles commission on December 31, 2001, shall be transferred to the control or supervision of the bureau of motor vehicles on January 1, 2002."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1170 as introduced.)

COOK, Chair

Committee Vote: yeas 9, nays 2.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1170, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BAUER, Chair

Committee Vote: yeas 17, nays 4.

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EH 1170—LS 6104/DI 96+



SENATE MOTION

Mr. President: I move that Senator Craycraft be added as cosponsor of Engrossed House Bill 1170.

MERRITT

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COMMITTEE REPORT

Mr. President: The Senate Committee on Transportation and Interstate Cooperation, to which was referred House Bill No. 1170, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 8, line 3, after "refund" strike ".".

Page 13, delete lines 6 through 10.

Page 20, between lines 27 and 28, begin a new paragraph and insert:
"SECTION 35. IC 9-18-31-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. The fees collected under this chapter shall be distributed as follows:

(1) ~~Through December 31, 2001,~~ Twenty-five percent (25%) to the superintendent of public instruction to administer the school intervention and career counseling development program and fund under IC 20-10.1-28.

(2) ~~Through December 31, 2001,~~ Seventy-five percent (75%) ~~and beginning January 1, 2002, one hundred percent (100%),~~ as provided under section 7 of this chapter."

Page 23, line 26, delete ";" and insert "**license;**".

Page 23, line 27, delete ";" and insert "**license;**".

Page 23, line 28, delete ";" and insert "**license;**".

Page 30, line 12, delete "(1)(2)" and insert "**(b)(2)**".

Renumber all SECTIONS consecutively.

and when so amended that said bill be reassigned to the Senate Committee on Finance.

(Reference is to HB 1170 as printed February 22, 2001.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 5, Nays 1.

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